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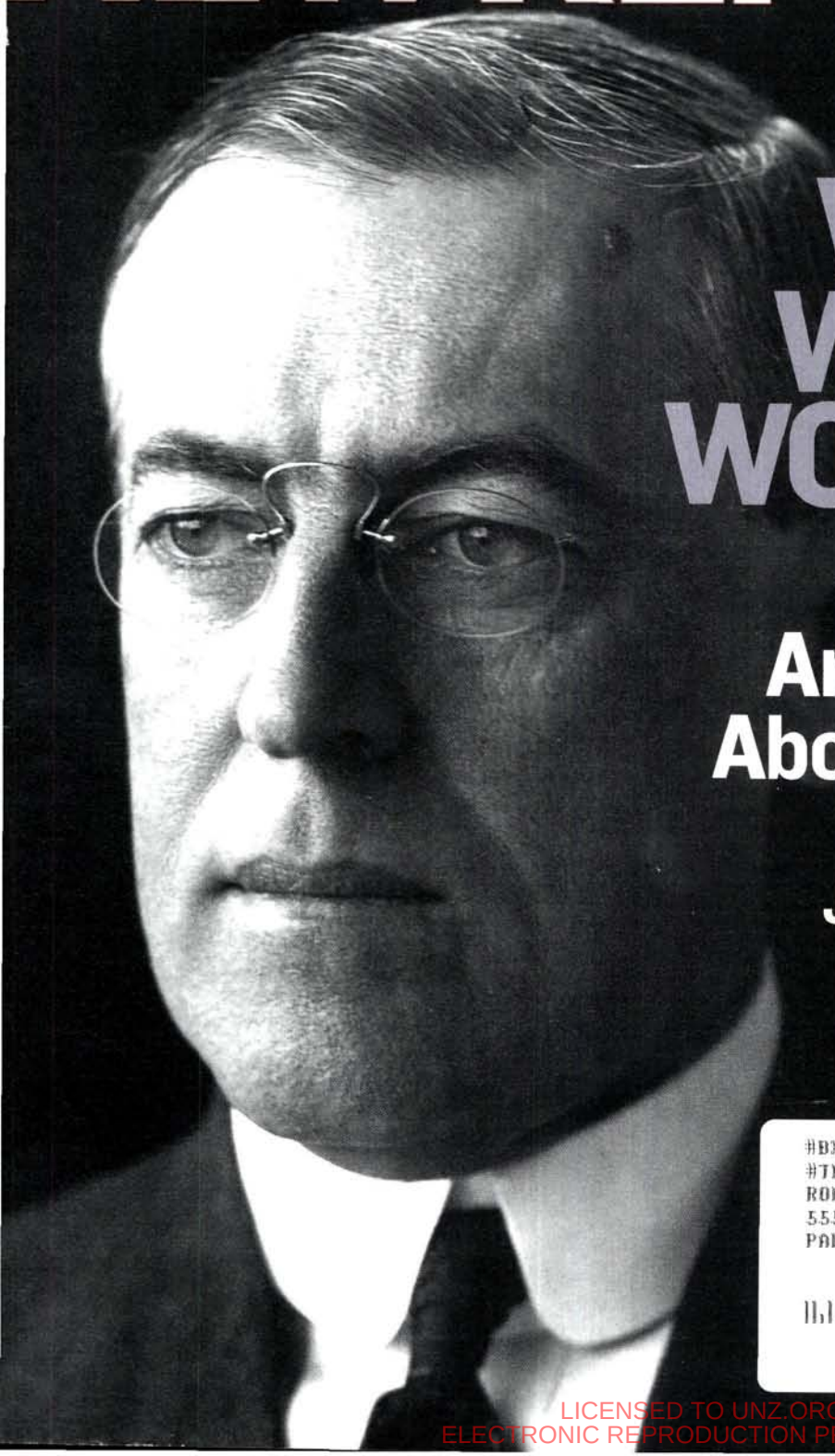

WHAT WOULD WOODROW DO?

An Argument About American Power

JOHN B. JUDIS

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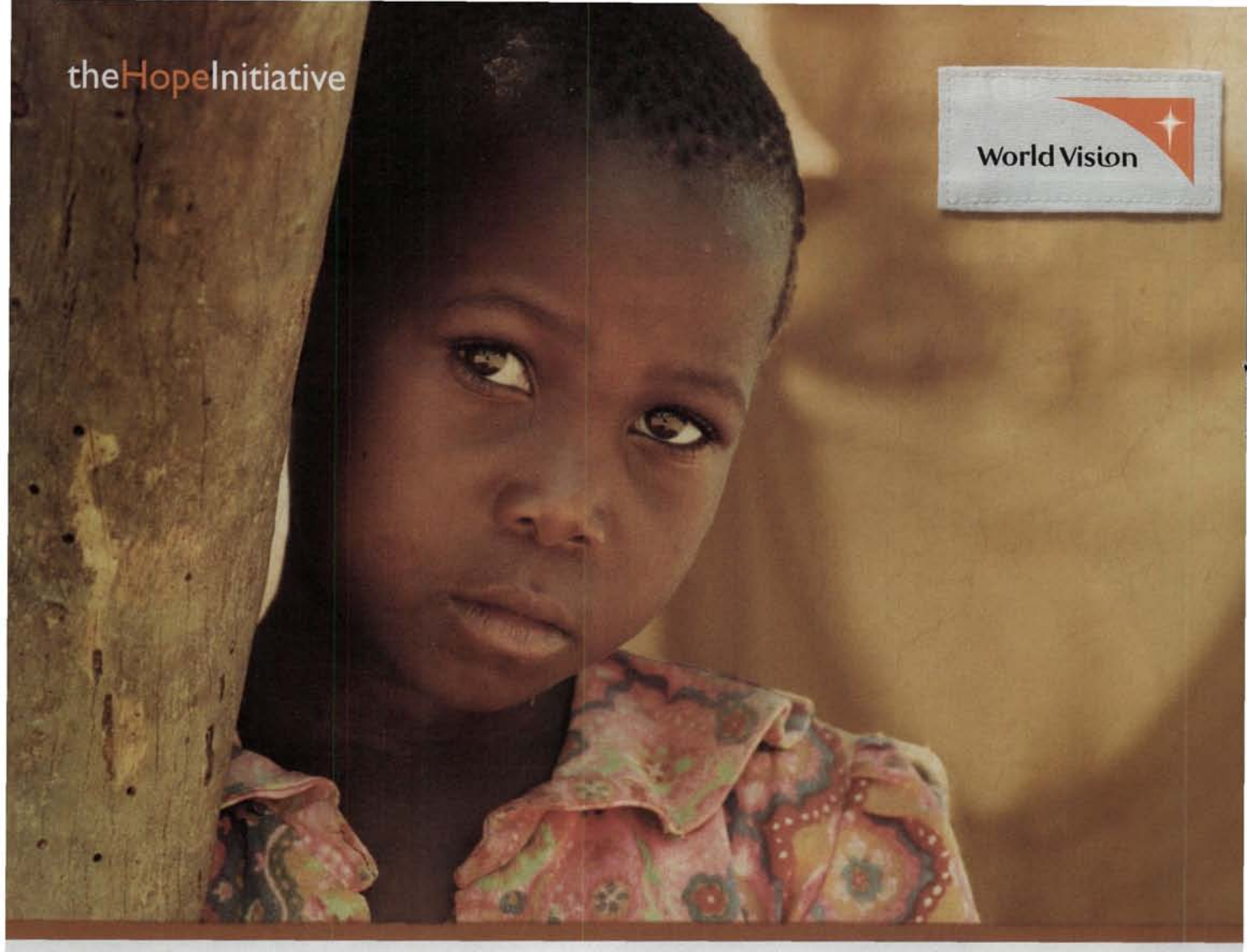

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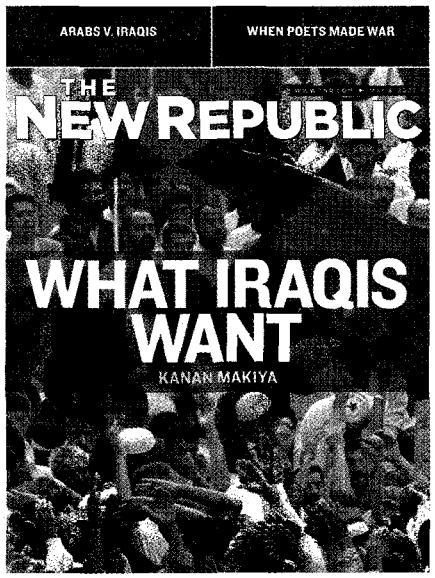
CORRESPONDENCE



SURROUNDED

YOSSI KLEIN HALEVI IS A BIT OVER-optimistic regarding Israel's security situation in the wake of Iraq's defeat ("Local Victory," May 5). Although Israel never downplayed Iraq's danger to its eastern frontier, Saddam Hussein's demise won't much change Israel's strategic calculus. Iraq did not, in fact, prove to be a formidable enemy.

Halevi uses a non sequitur to describe Iraq's support of the Syrian attack in 1973. Iraq did not join Syria's surprise assault; its troops only helped stem Israel's counterattack and performed poorly at that. Well-equipped Iraqi divisions were defeated by Israeli reservists using vintage World War II Sherman tanks. In 1967, Iraqi tanks never reached Israel; they were destroyed by Israeli airpower en route. And, while the attacks of 1991 were psychologically damaging, they were not militarily significant. Iraq was powerless against Israel in the recent war.

Israel's eastern flank is menaced without Iraq. Syria is no paper tiger, and its troops historically have performed much better than Iraq's. The Western-equipped armies of Jordan and Saudi Arabia are only a palace coup away from becoming major threats. Iran is still out there, and Iraq's own future is uncertain. Thus, it is doubtful that Halevi is correct when he asserts that Israeli military strategists "may no longer see that territory [the Jordan Valley] as essential to Israel's defense."

JONATHAN F. KEILER
Bowie, Maryland

FREE SPIRIT

THE NEW REPUBLIC IMPLIES THAT religion is the enemy of democracy in Iraq ("Flagellation," May 5). If this is true, then our efforts to establish democracy in Iraq are doomed to failure. There is no inherent conflict between religion and secular democracy, but secular democracy will not find favor in Iraq if its advocates needlessly denigrate religion.

ARJUN BAMZAI, M.D.
Durham, North Carolina

MORAL HAZARD

IN PAYING TRIBUTE TO HIS FRIEND, Michael Kelly, Peter Beinart gave an honest glimpse into a paradox in the way many contemporary conservatives view morality ("Personal Best," April 21 & 28). He explains Kelly's dislike for Bill Clinton by relating a story about how Clinton fired "a cadre of older ladies" who answered phones at the White House and replaced them with "twentysomething former campaign aides"—hint, hint. That act apparently violated Kelly's sensibilities of right and wrong because, Beinart tells us, Kelly "judged politicians as human beings," and he saw politics as a "function of personal honor."

Beinart then goes on to argue that neither George W. Bush nor Bush père would have committed such a callous act, and that's why Kelly rightly viewed them as so much more honorable and moral than Clinton, etc. The paradox is that the policies of the men are largely omitted from this equation on morality. Beinart tries to protect himself from this criticism with an opaque reference to a connection between Clinton betraying the phone operators and U.S. policy in Rwanda. What about American workers? What has either Bush, but especially W., ever done in the way of policy for the good of the common worker? Their policies have pretty uniformly focused on protecting the rights of their main constituencies—corporations, the wealthy, and more recently the right-wing Christians.

It's as though a politician's policies don't affect people. It's their conduct in day-to-day interpersonal interactions that define their character. The logic is frankly terrible, but I think it's an honest and rare peek into a contemporary conservative's worldview, and it's much larger than matters affecting workers. Myself, I prefer an equation that judges politicians, and people generally, on their overall impact on their fellow human beings. On that score, I'll take Clinton's morality hands down over that of either Bush or any of the other conservative politicians and columnists on today's U.S. scene.

STEPHEN T. HIGGINS
Jeffersonville, Vermont

TOUGH LOVE

I WISH TO DISAGREE, AT LEAST PARtially, with TNR's editorial "Small Fries" (April 21 & 28). While I agree that it is in America's best interest to be magnanimous in the aftermath of the Iraq success, such magnanimity should definitely exclude France, Germany, Belgium, Russia, and China. These five countries, for their own national interests, did everything possible to stoke the fires of world opinion against the United States. They gambled and lost, and now it is time for them to face the consequences of their actions. Let the rest of the world community rejoice in our accomplishments, and let's provide each and every one of them, including our friends Mexico and Canada, a share in the postwar reconstruction.

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ETS concurs with NAFSA's conclusion that, "If ever there was a time when we need to do all that we can to renew world commitment to international learning, understanding and cooperation, that time is now."

* NAFSA: Association of International Educators promotes the exchange of students and scholars to and from the United States. Members share a belief that international educational exchange advances learning and scholarship, builds respect among different peoples and encourages constructive leadership in a global community.

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Grain of Salt

TRB
FROM WASHINGTON

I DON'T MIND that this administration preaches to the world. Some liberals think the Bush team's moralizing breeds anti-Americanism, but I suspect that's not right. After all, moralizing in service of a just cause can win the United States admiration—as liberals understood when they demanded that the United States publicly moralize about apartheid. What alienates the world isn't moralism; it's hypocrisy. When you lecture others, you must be able to withstand scrutiny yourself.

This is what the Bush administration cannot fathom. In fact, the more it demands of other countries, the less it demands of the United States. It calls for unprecedented violations of other nations' sovereignty in the name of nonproliferation, human rights, and free trade. Yet it endlessly invokes U.S. sovereignty to flout international norms. Bush officials justified war in Iraq by noting that, if Saddam Hussein were allowed to develop a nuclear bomb, he'd probably use it. But, last month, they convinced the Senate to end America's ban on the development of low-yield tactical nuclear weapons—weapons the Bush administration wants not for deterrence but for potential battlefield use. A second casus belli in Iraq was Saddam's refusal to fully cooperate with U.N. inspectors searching for evidence of biological weapons. But, in 2002, the Bush administration torpedoed talks on an international biological weapons inspection regime—in part because the United States itself was developing them. As John B. Judis points out in this week's cover story ("History Lesson," page 19), the Bush administration seems to believe that, as the most powerful country on earth, the United States should both dictate the rules of the international system and exempt itself from them.

The result is that, even when this administration's criticisms of other governments are valid, they leave a sour taste. Take the president's May 22 speech to the graduates of the U.S. Coast Guard Academy. First, President Bush slammed European countries for raising health concerns about bioengineered food. "This," he thundered, "has caused many African nations to avoid investing in biotechnologies, for fear their products will be shut out of European markets. European governments should join—not hinder—the great cause of ending hunger in Africa."

The president's interest in bioengineering is not as altruistic as he made it appear. The United States dominates the biofood industry and wants the World Trade Organization (WTO) to force European countries to open their markets to its exports. Still, Bush was right: There are no proven health risks associated with biocrops, and it is outrageous that several African governments, under European pressure, have refused U.S. food aid on those specious grounds.

Bush was also right when he slammed the Europeans for another policy that hurts the world's poor. "When wealthy nations subsidize their agricultural exports, it prevents poor countries from developing their own agricultural sectors," the president declared. "So I propose that all developed nations, including our partners in Europe, immediately eliminate subsidies on agricultural exports to developing countries."

That's dead on. Agricultural subsidies in the developed world are one of the scandals of our time. The United States, Europe, and Japan hector African countries to adopt free-market policies, but, by paying First World farmers to produce crops that would otherwise be internationally uncompetitive, they effectively deny African countries a free market for their exports. According to the World Bank, Third World nations lose more money as a result of First World agricultural subsidies than they receive in foreign aid.

Agricultural subsidies that specifically prop up exports to the developing world are a small part of that larger, shameful picture. And they are a part for which Europe bears most of the blame. (European countries designate many of their farm subsidies for export, while the United States mainly subsidizes production.) So the president was right to lecture the Europeans.

But here's what he didn't say. A year ago, Bush signed the Farm Security and Rural Investment Act of 2002. The law—crafted to help Democratic and Republican farm-state senators up for reelection—boosted agricultural subsidies by an astonishing 80 percent. And, because the president signed it, many Africans will die.

To understand why, consider just one provision of the legislation: the subsidy on cotton, which the 2002 law more than doubled, from 35 to 72 cents per pound. The United States is a highly inefficient cotton producer; in fact, America's production costs are roughly three times those in the West African nation of Burkina Faso. Yet Burkina Faso is losing market share because the United States subsidizes its cotton industry by roughly $2 billion per year (three times as much as the U.S. Agency for International Development spends annually on Africa). According to Oxfam, the United States actually spends more subsidizing the production of cotton than it earns selling it—making the industry a net loss to the U.S. economy. Those subsidies go to America's 25,000 cotton farmers, who boast an average net worth of $800,000; by contrast, the average yearly wage in Burkina Faso is roughly $200.

Burkina Faso relies on cotton for 60 percent of its exports. And Oxfam calculates that, as a result of U.S. subsidies, its export earnings have dropped 12 percent. (Neighboring Mali has seen a drop of 8 percent, which translates to more money than it receives annually in U.S. aid.) Before the 2002 farm bill, the cotton industry was bringing real benefits to Burkina Faso's people. Last summer, the *Times* of London noted that, in the village of Sobara, cotton exports had funded the construction of 21 new schools and a rudimentary health clinic that distributed anti-malaria pills and polio inoculations. Upon hearing of last year's legislation, the treasurer of the town's cotton-growing cooperative told the *Times*, "This means our schools and our health centres will close down." That means people in Sobara will die.

President Bush didn't mention any of this last week when he chastised America's allies for obstructing "the great cause of ending hunger in Africa." Everything he said about Europe's culpability was correct. How he omitted America's is one of the mysteries of this administration, which demands so much of the world and so little of itself.

PETER BEINART

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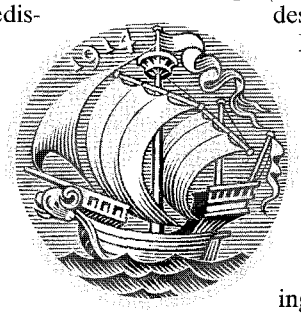
Scandalized

THIS SUNDAY, THE famously dogged Tim Russert closed out an interview on NBC's "Meet the Press" by asking his guests what they thought of the fact that Texas law enforcement had enlisted the aid of the Department of Homeland Security to search for Democratic state legislators (who'd fled to Oklahoma to stymie a redistricting plan) and had subsequently destroyed all records pertaining to the search. One guest, Senator Joseph Biden, the ranking Democrat on the Foreign Relations Committee, found himself uncharacteristically at a loss for words. "I don't know enough to comment on that," he answered. "I mean, I just don't know what happened there. I'm just not qualified to comment." Another guest, Senator Chuck Hagel of Nebraska, interceded by making a joke at the expense of Kansas. This prompted Senator Pat Roberts of Kansas to defend his home state's honor: "Our barbecue is a lot better than Texas barbecue and Oklahoma barbecue," he insisted. "There goes the vegetarian vote," concluded Russert. A good laugh was had by all.

Why won't this once scandal-obsessed city take what happened in Texas seriously? Sure, it involved neither sex nor money. But it involved something more serious: the blurring of the line between the power of the state and the partisan interests of those who run it—a line that represents the fundamental separation between a democracy and a dictatorship. When FBI files showed up in Bill Clinton's White House, Republicans, with the help of the press, screamed with outrage, even though no evidence that they were used for any partisan purpose was ever uncovered. Yet, in this case, when we *know* that police powers were harnessed for partisan gain, the issue elicits laughs.

The Texas saga is actually a double scandal. The first element was an attempt by Republicans to redesign the state's congressional map so as to assure more seats for the GOP. Gerrymandering congressional districts for partisan gain is a hoary and unedifying practice in U.S. politics; perhaps the only thing that limits the damage it inflicts upon democracy is the fact that, for half a century, it has taken place only once every ten years, after the census. In Texas, and in Colorado as well, Republicans—clearly taking direction from both the White House and the congressional GOP—have now changed this, pushing through gerrymandered plans not even two years after the last redistricting. By making such battles routine, Republicans threaten to devolve state politics into a cycle of perpetual, bloody, partisan warfare. Indeed, New Mexico Democrats have already threatened to redistrict in retaliation.



To stymie the GOP plan, Texas Democrats resorted to a trick of their own: They fled the state in order to deny Republicans the quorum they needed to enact their plan. Here is where events took an even darker turn. The Texas Department of Public Safety (DPS) organized an effort to round up the fleeing Democrats. That part is legal, although it's disturbing that the effort was run out of a room next to the office of Texas House Speaker Tom Craddick. (Craddick is a close ally of House Majority Leader Tom DeLay, who masterminded the redistricting plan.) The narrative seemed to swerve into illegality when someone in the DPS called the federal Department of Homeland Security to track a plane carrying some of the fleeing Democrats. "We got a problem here, and I hope you can help me out," an officer told the department. "We had a plane that was supposed to be going from Ardmore, Oklahoma, to Georgetown, Texas. It had state representatives on it, and we cannot find this plane." The department, which is charged with catching terrorists and smugglers, duly tried to track the plane, although it failed to find it.

Republicans claim this was the work of a Texas officer acting on his own. But there are plenty of reasons to be suspicious. Craddick, according to his spokesman, "doesn't remember any details at all about that day"—despite the fact that it was among the most memorable in recent Texas political history. The DPS ordered all documents pertaining to the Democrat-hunt destroyed immediately. And DeLay, after initially refusing to answer questions, admitted last week to having a staff member contact the Federal Aviation Administration to help track the Democrats.

It's worth remembering that in 1991 the national media became obsessed with a "scandal" in which members of Congress overdrew checks from the House bank. The Texas flap, by contrast, has elicited a collective yawn from the press. But, then, it merely deals with a political party enlisting federal law enforcement to take its side in a partisan dispute. That sort of thing goes on in Venezuela all the time. ■

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NOTEBOOK

MILLER MAKES A DEAL . . . THE SAUDIS MAKE AN EXAMPLE . . . BUSH MAKES ENEMIES

SHAFTED

EVER SINCE GEORGE W. BUSH'S aggressive 2002 effort to unseat Senate Democrats—and, in particular, his campaigning against Georgia moderate Max Cleland—even Democrats otherwise inclined toward bipartisanship have had second thoughts about supporting his agenda. What's the point of shaking Bush's hand, after all, if he's going to punch you with it afterward? As we noted last week, one exception to this rule has been Nebraska Senator Ben Nelson, who voted for the president's latest tax cut despite an ugly campaign against him in his home state. Another, of course, has been Zell Miller, who also supported the tax bill. Miller's enthusiasm stemmed in part from the inclusion, in the version of the tax bill passed by the Senate, of a proposal dear to his heart—a measure requiring CEOs to take responsibility for their corporate bookkeeping by signing their names onto their corporations' federal income tax returns. (Current law allows any designated "corporate officer" to sign the returns.) Miller dreamed up the idea of putting CEOs on the hook in the midst of the Enron and WorldCom scandals last year and has been hawking it ever since.

Alas, Miller's cherished reform was stripped from the compromise tax bill before its final passage last week. Miller's office says he asked for its removal because his staff worried that it might violate a rule preventing the inclusion of revenue-neutral measures in a tax bill. But Miller's comments on the Senate floor just before the final vote on the tax cut suggest an alternative explanation. "I understand my CEO provision . . . has been taken out at the same time" as a section ending various corporate tax shelters, Miller lamented, sounding not at all like the architect of the decision. The fact that Miller's provision was stripped from the bill at the same time as measures to end corporate tax shelters—

Zell Miller

which are clearly *not* revenue-neutral—suggests it may have had less to do with possible technical violations (the provision had, after all, passed without comment in the initial Senate bill) than with simple ideology. And, indeed, a senior Senate Democratic aide says the truth is that Miller's amendment and the tax-shelter language were rejected by Republican leaders in a House-Senate conference thanks to the intense opposition of corporate lobbyists.

So, on the day of the vote, a disappointed Miller—who complained about having to skip his twin grandsons' middle-school graduation in order to give the GOP its winning one-vote margin—was reduced to pleading that his measure be brought up again later this year. In early April, Miller had explained the need for the provision by noting that, during the 2002 corporate scandals, "a few big shots got the gold mines, and a lot of little folks got the shaft." Sounds like how Miller made out in his dealings with the GOP.

OF PRINCES AND PRESSES

IT'S HARD TO IMAGINE HOW ANY GOOD could come from terrorism, but some in Washington and Riyadh believed that the May 12 suicide bombings in Saudi Arabia would have the salutary effect of forcing Saudis to grapple with the Islamic extremists in their midst. "We specifically warn anyone who tries to justify these crimes in the name of religion . . . [that they] will be considered a full partner to the terrorists and will share their fate," Saudi Crown Prince Abdullah said in a nationally televised speech shortly after the attacks. Abdullah's nephew, Prince Bandar bin Sultan, the Saudi ambassador to Washington, told reporters, "This is a defining moment in Saudi political life."

And, for a little while, it did appear the Saudis had begun to confront the role their favored Wahhabi brand of Islam had played in fueling Islamic extremism. The most encouraging sign came in the pages of the Saudi daily newspaper *Al Watan*, which, like all newspapers in Saudi Arabia, publishes at the pleasure of the Saudi government. Just hours after the bombings, *Al Watan*'s editor, Jamal A. Khashoggi, wrote, "Those who committed yesterday's crime . . . are not only the suicide bombers but also everyone who instigated or justified the attacks, everyone who called them mujahedin, even everyone who ignored this irregular direction in our religion and nature or tried to find excuses for it." After Khashoggi's clarion call, *Al Watan* continued to examine how Saudi religious institutions had propagated extremist ideas, running articles critical of Saudi Arabia's religious police and Wahhabi scholars.

But, this week, the defining moment in Saudi political life came to an abrupt end. According to *The New York Times*' Neil MacFarquhar, the Saudi government removed Khashoggi as *Al Watan*'s editor. No reason was given for his dismissal, but none had to be given. As a

DAVID COWLES

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deflated *Al Watan* writer explained to MacFarquhar, "They are doing what the radicals want." The writer added, "If they fired Jamal Khashoggi, nothing is going to change." Maybe it's time the U.S. relationship with Saudi Arabia did.

SILENT TREATMENT

ACCORDING TO THE GERMAN PRESS, the Bush administration says it wants to mend fences with Germany, which earned the White House's ire by opposing the Iraq war. It has just chosen a peculiar way to go about it. Washington is "making efforts to improve relations with Germany at all levels," national security adviser Condoleezza Rice told the German magazine *Focus*, but "we are doing it around the chancellor, whom we prefer to bypass." Indeed, the administration intends to ignore both Chancellor Gerhard Schroeder and Foreign Minister Joschka Fischer at the upcoming G-8 summit of major industrial nations. Meanwhile, the White House has gone out of its way to court Germany's opposition parties, even inviting opposition governors of small German states to meetings with top American officials.

Now, last time we checked, Schroeder is the newly elected leader of a country that holds chancellor elections every four years. So the United States won't be able to "bypass" him until 2006, when the Bushies, if still in office, will be starting to plan their memoirs. In the meantime, the administration's cold-shoulder policy is not just petty but stupid. First off, belittling Schroeder at a major summit is likely only to increase his standing at home—where, after all, he already rode a wave of anti-American sentiment to election last fall. More importantly, it's likely to push the German leadership closer to France, which has been actively trying to create a Franco-German axis to counterbalance U.S. power. Schroeder has lately been telling reporters that he'd like to rebuild the relationship with the United States; even a White House official admitted to *The Washington Post* this week that "Germany wants to move forward." The Bushies, unfortunately, appear committed to exactly the reverse.

SIGHT FOR SORE EYES

AS PROMISED, WITH THIS ISSUE WE have increased the size of the type in the magazine. We thank our readers for their patience and apologize to their ophthalmologists for any imminent decline in the frequency of their visits.

DEPARTMENT OF CORRECTIONS

EXCEEDINGLY DILIGENT READERS OF this magazine may have noticed that the print date of our May 26 issue, which appears in the fine print at the bottom of the Correspondence section, was incorrect. It should have been listed as May 15. ■

Inside the Box | Bruce Reed

LOSERS WALK United States dismisses Iraqi army, leaving 400,000 out of work. New Bush slogan for postwar Iraq: "A hobby, not an occupation."

HOLES I Senate votes to allow United States to develop new bunker-buster nuclear weapons: "That way, there won't be anything left not to find."

HOLES II Congress passes biggest ever increase in debt limit. Hastert: "It's a lot less once you adjust for deflation."

HASTERT: ROLL CALL PHOTOS; STUDDARD: REUTERS PHOTO ARCHIVE

U.S.S. LINCOLN BEDROOM Donors who raise $200,000 for Bush reelect will be called "Rangers." Limited time offer: Raise $500,000, and Bush will land a Navy jet on your lawn.

RUBEN, RUBEN Fox gets caught misreporting vote totals in "American Idol" finale: "It's much harder to manipulate a race Americans actually care about."

CLASS WELFARE Bush signs third-largest tax cut in history: "Don't worry—it's still little-bitty for most of you!"

CONFIDENCE GAME Harvey Pitt starts firm on corporate governance and crisis management: "Those who can't do, consult!"

MYSTERY DATE Democratic presidential candidates agree to limit debates. Party's new message to voters: "What you don't know can't hurt you!"

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Baghdad Dispatch

Dead Air

BY SAM JAFFE

THE PLAN WAS to broadcast Iraq's first post–Saddam Hussein soccer match live on the Iraqi Media Network (IMN)—the new U.S.-funded TV station. But, when IMN's crew arrived at the stadium on May 15, they realized they did not have the power to reach the relay station in central Baghdad. They borrowed a transmitter truck from the BBC, only to find their equipment wouldn't work with the Beeb's device. So IMN taped the game's first half and drove the tape back to Baghdad. When they started running the tape, the city's power began dying (as it does frequently), thwarting IMN's effort. And, because of IMN's faltering equipment, even those who caught the few minutes of taped play before the power cut saw only fuzzy shadows.

Unfortunately, Iraqi soccer fans had an alternative. On Al Alam, the Iranian government's station, the picture was clear and bright. In fact, while IMN struggles to get any programming on the air, Al Alam features popular news shows, interviews with Shia mullahs, and the latest soccer matches from Europe. "We've been preparing for this for years," says Jabbar Katamy, editor in charge of Al Alam's operations in Iraq, which transmits its signal from antennae in Iran near the Iraqi border—and thus is not affected by power cuts—and keeps 15 staffers in Iraq.

More than six weeks after Saddam's fall, the United States is lagging behind in the struggle over the airwaves for Iraqi hearts and minds. The Americans are not totally to blame; Iran had a nearby broadcasting infrastructure already set up, while the United States has had to contend with Iraq's lack of electricity and an infrastructure damaged by looters. But the American broadcasting specialists have made things worse by overestimating their goals, planning poorly, ignoring local mores, and squabbling amongst themselves. By the time they get their network going, Tehran's mullahs may have won the p.r. war.

Originally, the TV plan of the Office of Reconstruction and Humanitarian Assistance (ORHA) was a bold one. Armed with a multimillion-dollar budget, ORHA called for a new Iraqi TV station headed by Ahmad Al Rikaby, a former correspondent for Radio Free Iraq, who would lead a staff of technicians and engineers hired before the war. The team waited in Kuwait with truckloads of equipment and sped into Baghdad immediately after the shooting stopped, full of promises to quickly set up a fully functioning station.

But hope has turned to despair. The promises about IMN, American officials say, may have been too ambitious, and, when the station did not quickly launch, Iraqis were left wondering whether the Americans could not deliver. "I don't know why they don't put something on the air," says Jamal Nasser, a 38-year-old Baghdad resident who opposes the Iranian efforts. "Every day, you see more people poisoned by Iranian television because that's all they see."

In part, American officials say, promises have gone unfulfilled because the TV group was unable to coordinate its efforts. Within IMN, squabbling persisted and no single leader emerged who could purchase supplies, coordinate setup, and push the station toward a launch. "We're guilty of the same inefficiency ... that we complain about when we speak of other Third World governments," says one American official. Indeed, for almost a month after the war ended, little was done except for the hiring of a few local staffers. Finally, on May 13, IMN began broadcasting between the hours of 6 and 10 p.m. Al Alam, by contrast, broadcasts all day long.

Broadcasting hours still have not been expanded, as IMN staff struggle to set a direction for the network. Indeed, inside the station's headquarters, close to $1 million in equipment sits covered in plastic. "We've got the wrong equipment and nobody that knows how to use it," says one IMN engineer. "When they bought the stuff in Kuwait [before the war], nobody with experience was in charge, so they bought a lot of useless stuff." Meanwhile, David Isaac, an Iraqi-born production engineer who built TV studios throughout Europe, waits in the offices in near blackness. A generator sits on the ground outside, but Isaac doesn't have enough power cords to connect the generator to the studio.

IMN might have moved faster had it used the existing TV infrastructure in Iraq. After the war, the United States took over TV towers formerly controlled by Saddam's Information Ministry, many of which were not knocked out by U.S. bombing or damaged by looters. Yet IMN staff have not bothered to repair and utilize most of the existing transmitters.

Even when IMN is on the air, its broadcasts have shown a cultural insensitivity that alienates some Iraqis. Shia viewers protest that IMN uses Saddam's last name on-air, thereby defiling the last name of Imam Hussein, the seventh-century hero of Shiism. "Watch Iranian television, and you'll see they only use 'Saddam,'" says Amer Sultan, a former journalist for IMN. "It enrages Shia when they hear 'Hussein' in the same sentence as 'Saddam.'" American officials also reportedly objected to the on-air reading of the Koran on IMN—even though many Iraqis seem to enjoy some Islamic shows—and the Iraqi staff at the station agreed to limit Koran reading.

Into this vacuum have stepped the Iranians. While IMN grasps for its bearings, viewers are growing accustomed to

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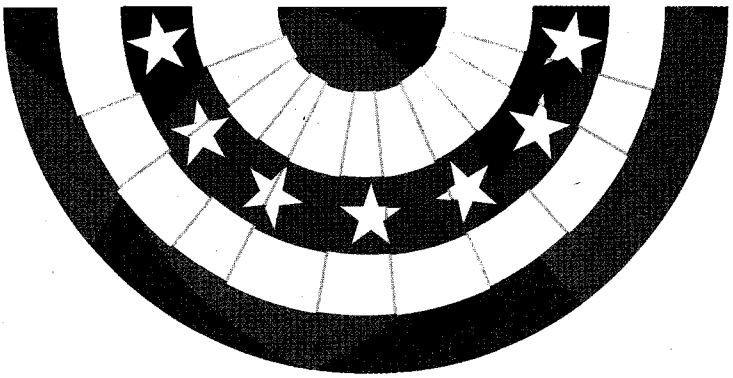

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getting news from Iranian television, which denigrates the American presence in Iraq. Al Alam is "technically well-produced, lively, and popular," Michael Knights, a fellow at the Washington Institute for Near East Policy, has noted. It "rivals satellite channel Al Jazeera in its formula ... but is far more accessible in Iraq." Al Alam gets "seventy percent of their facts wrong, but at least it's Islamic programming," says Imad Al Deen Nasser, a 25-year-old Shia in the Karada neighborhood of Baghdad who, like most Iraqis, knows nothing of IMN.

Within months, IMN will have to contend with other competitors as well. Thousands of satellite dishes are now being sold on the streets of Baghdad. Once they set up their dishes, more Iraqis will have dozens of channels to choose from, including Al Jazeera and Al Manar, Hezbollah's TV station. By then, IMN may be little more than the local version of public-access television: occasionally interesting, well-intentioned, and largely ignored. ■

How Lott became a reformer.

Blowback

BY JONATHAN KARL

When Trent Lott returned to the Senate in January as a fallen leader betrayed by his colleagues, there was one Republican he was eager to see: John McCain. Before Lott's fall, McCain had been the Mississippi senator's nemesis, constantly bucking his leadership and publicly airing Republican dirty laundry. Now, Lott has a surprising message for McCain: "I'm going to be just like you."

Lott's newfound admiration for the Arizona senator stems partly from the fact that McCain didn't kick him when he was down. After Lott made his now-infamous comments about Strom Thurmond's 1948 segregationist presidential campaign, reporters naturally turned to McCain as the logical Republican to criticize Lott and call for his ouster as party leader; after all, McCain had clashed with Lott on virtually everything else. But McCain was publicly silent and, behind the scenes, refused to join the effort to push Lott out. In fact, during the ordeal, he offered Lott damage-control advice. All this while Lott's supposed Republican friends betrayed him.

But there's something else Lott now admires about McCain: his willingness to make life hell for his party leaders as he fights for what he believes in. Liberated from the dual constraints of party leadership and political loyalty, Lott is in a position to possibly have a more lasting impact on the Senate than he did as majority leader. "I do feel a certain degree of newfound freedom," Lott said recently outside his remote office on the fourth floor of the Russell Senate Office Building. "If I am going to be here, I am going to have an impact, to be a player, not just to get even but to make this place work better." And Lott intends to do that by embracing reform measures sure to unsettle his GOP colleagues—first among them the man who succeeded him as Republican leader, Bill Frist.

While previously disgraced party leaders such as Bob Livingston, Newt Gingrich, and Jim Wright have tended to slink away from Congress after their downfalls, Lott has decided to stick around. And he's making his presence felt in surprising ways. When Lott was the GOP leader, he was hardly a press favorite. But, since his downfall, he has become one of the most quotable senators—speaking his mind even, or perhaps especially, when it makes his fellow Republicans uncomfortable. "I am not an instinctive troublemaker, but I maybe could learn," Lott recently joked. He's a quick study. At the May 21 gala fund-raiser for the president's reelection campaign, Lott told reporters he would work to get Bush reelected. But then Lott couldn't resist adding, as quoted in *The Washington Post*, "He didn't help me when I needed it."

Lott appears so eager to criticize his fellow Republicans that it sometimes doesn't seem to matter to him whether his criticisms are consistent. For instance, Lott recently suggested his successor, Frist, is being too timid in his handling of the judicial nomination of Miguel Estrada. "I'm perfectly prepared to blow the place up," Lott declared. "Democrats are abusing the process and getting away with it." But, just a few weeks earlier, Lott had criticized the Republican leadership for not working out a deal with Democrats to get a vote on Estrada. Talking to reporters just off the Senate floor, he said, "I guess I just have a different view of how to get things done. They used to criticize me for moving the trains, but, after all, what's the main goal here? To score political points with our core? No. The goal is to confirm Miguel Estrada."

Lott has been causing trouble on other issues as well. As the Senate prepared to pass its version of the president's tax cut two weeks ago, Lott learned he was not going to be appointed to the conference committee that would draft the final compromise with the House. He was outraged, according to a top Republican senator, telling Frist through an intermediary that he resented being frozen out of the process. If he wasn't going to be appointed to the conference committee, Lott informed Republican Whip Mitch McConnell, he would vote against his party on a critical Democratic amendment offered by John Breaux to scale back the dividend tax cut. In a stunning display of independence, Lott joined the Democratic leadership in voting for the Breaux amendment. The only other Republican to join him in this act of defiance was Lincoln Chafee, who rou-

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tinely strays from the GOP party line. The amendment was defeated 51 to 49, but only because conservative Democrats Zell Miller and Ben Nelson joined the rest of the Republicans in voting no. Nevertheless, Lott succeeded in sending his message, and Frist ended up appointing him to the tax conference committee.

WHERE LOTT REALLY seems to be trying to make his mark, however, is with his McCain-like effort to reform the Senate rules. As consolation for losing his position as leader, Lott was given the chairmanship of the Senate Rules and Administration Committee. Sometimes called "the mayor of the Senate," the Rules Committee has traditionally done little more than allocate office space and handle logistics for presidential inaugurations. But Lott has abandoned tradition and is using his post to advance an ambitious reform agenda. "The Senate has become dysfunctional," he says.

Allying himself with such unlikely figures as McCain and Democrat Ron Wyden, Lott is throwing his weight behind three reform initiatives. The first, proposed by Wyden, does away with the secret "holds," a bizarre privilege that enables a single senator to anonymously block a bill or a nomination from coming to a vote. The second, offered up by McCain, limits "earmarks," which enable senators to secretly tack pet projects onto spending bills. The third reform initiative does away with filibusters of judicial nominees, something Republicans now want, because Republican judges are being blocked, but was initially offered in the 1990s by Democrats Tom Harkin and Joe Lieberman.

These reforms may sound arcane, but they go to the heart of how the Senate operates. Consider the process of earmarking, an age-old tradition of pork-barrel spending that has flourished under Republican leadership. In 1994, appropriators tacked 4,126 special interest items onto spending bills without any public hearing at a cost of nearly $27 billion. By 2001, the number of earmarked projects jumped to more than 6,000 at a cost of $35 billion. One might think that the twin concerns of homeland security and rising deficits would have curtailed this, but last year Congress shattered all records for earmarked appropriations: 10,540 pet projects at a cost of $44.6 billion. Under Republican leadership, this type of old-fashioned pork-barrel spending has been one of the fastest-growing categories of government expenditure.

McCain's proposal, which Lott is now pushing, would make it much harder for appropriators to add their special projects to spending bills in the dead of night. Under McCain's reform, any senator could object to an item that is added to a spending bill without a hearing or without a request from the administration. Sixty votes would be needed to overcome the objection. Lott plans to have McCain testify before his committee, provoking a dramatic confrontation with the two senior members of the Rules Committee—Appropriations Chairman Ted Stevens and his Democratic counterpart, Robert Byrd, who are among the most legendary pork-barrelers in Senate history and masters of the earmarking process. "Senator Lott understands from his perspective as a former majority leader the need to fix the system," McCain says. "He recognizes that the system is out of control."

If history is any guide, Lott is not likely to succeed in his reform efforts: Senate rule changes take 67 votes and have almost never happened in the Senate's 215-year history. "I can't think of a major dramatic rule change," says Senate historian Richard Baker. "It took the Senate about one hundred and twenty years to get the cloture rule [which makes it possible to cut off a filibuster with a two-thirds supermajority], and it didn't work very well until the 1960s." What's more, while Lott says he doesn't mind "stirring it up," he insists he will only take his reform effort as far as Frist wants him to. "The leader has to put up with the things I stir up," Lott says, like a good soldier.

But some of Frist's allies aren't buying it. "He's trying to screw the leader," says one senior Frist adviser. "It doesn't take a genius to see that." Whatever his motivation, Lott is provoking a long-overdue look at some dusty Senate rules that are increasingly abused. As he pushes reform, though, some Republicans may come to wonder whether they made a mistake when they encouraged Lott to return to the Senate after he resigned as leader. At the time, Republicans worried that, if Lott gave up his seat, Mississippi's Democratic governor would name a Democrat as Lott's replacement. And Republicans assumed that, if Lott did come back, he would quietly serve out his term.

But now Lott seems intent on outlasting those who betrayed him, and, at 61 years old, he could still have a long Senate career ahead. "I might say that my predecessors in the House and the Senate served for forty years," Lott says with a hint of mischief. "I have at least another ten to go." In other words, Senate Republicans may have Trent Lott to kick around, and vice versa, for years to come. ■

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How not to handle a nuke threat.

Iranamok

BY LAWRENCE F. KAPLAN

THIS WAS THE week Iran hawks had been waiting for. The Bush administration put a formal halt to the State Department's flirtations with the Iranian Foreign Ministry, shutting down meetings that had begun during the war in Afghanistan. Defense Secretary Donald Rumsfeld accused Iran of harboring Al Qaeda operatives and sowing theocracy in Iraq. Members of the Bush team spoke to reporters about broadcasting anti-government messages into Iran and funneling aid to Iranian democrats and hinted at rearming the People's Mujahedin, an Iraq-based Iranian opposition group that American forces had disarmed only a few weeks ago.

But, when it comes to Iran's nuclear program, which could reach fruition within months, the administration's hard line amounts to this: The White House plans to take Iran to the United Nations. Or, more precisely, to protest Iranian violations of the Nonproliferation Treaty (NPT) at the International Atomic Energy Agency (IAEA), and then hope the IAEA refers the matter to the United Nations, while trying to persuade China and Russia to cut off shipments of nuclear technology to Iran. And, if that doesn't work, there's always the broader policy of encouraging a popular uprising in Iran. These strategies have two things in common. First, they rely on actors other than the United States—the United Nations, the Russians, the Iranians themselves—to frustrate Iran's nuclear ambitions. Second, it's highly unlikely any of them will work.

Credit for alerting the United States to the scope of Iran's nuclear program belongs to an opposition group, the National Council of Resistance of Iran, which publicized details about Tehran's nuclear projects last August. The most intriguing detail concerned a hitherto secret uranium-enrichment facility at Natanz, in central Iran. The revelation set off alarm bells in Washington and at the IAEA, since highly enriched uranium can be used to fuel nuclear weapons. The Bush team's suspicions were further stoked by the fact that nearly 1,000 gas centrifuges, which help enrich uranium, are slated to go online at Natanz over the next 18 months and the fact that China has admitted to supplying the facility with ingredients to produce enriched uranium. Making matters even more suspicious is the fact that the Iranians never bothered telling anyone they were building the plant and, most damning of all, that Iran possesses enormous oil and gas reserves and, hence, has no particular need for such an ambitious nuclear program. Rather than deny the National Council allegations, Tehran conceded the existence of the facility and its intention to begin enriching uranium. In February, it even allowed IAEA chief Mohamed ElBaradei in for a brief visit.

The questions, though, extend well beyond Natanz. In just months, another Iranian nuclear facility—a 1,000-megawatt plant built with Russian assistance at Bushehr on the Gulf coast—will become operational. Unlike Natanz, Bushehr isn't a secret to the United States or to IAEA inspectors. And, unlike Natanz, Bushehr consists of light-water reactors whose spent fuel will be reprocessed into plutonium, not uranium. As a source of weapons-grade material, however, the plant is just as lethal. Indeed, its plutonium could yield more nuclear weapons in a shorter period. According to a recent analysis by the Washington-based Nonproliferation Policy Education Center, Bushehr could produce between 50 and 75 bombs by 2006; the slower, centrifuge-based process at Natanz could yield only a fraction of that.

How does the Bush team intend to respond to all this? First, by relying on the same multilateral institutions it ridiculed during the run-up to war with Iraq. On June 16, ElBaradei will report to the IAEA's board of governors detailing his findings about Natanz. Defense and State Department officials claim that, while the administration has already begun lobbying the IAEA board to certify that Tehran is in violation of the NPT, the United States will not press for immediate action at the June meeting. Instead, it will begin a campaign to persuade world opinion that the threat from Iran is real. Meanwhile, the Bush team has also begun pressing China and Russia to halt assistance to Tehran's nuclear program. These efforts are likely to intersect at the next IAEA board meeting in September, when administration officials say they will urge the board to declare that Iran has violated the NPT—a finding that automatically puts the issue before the U.N. Security Council, where the administration hopes to eventually get a resolution condemning, and perhaps even sanctioning, Iran's violations.

On this, the main thrust of the Bush team's policy toward Iranian nukes, the administration has achieved a rare consensus among its feuding parts. On the question of what happens next, there is less unanimity, partly because the administration has only recently begun to think seriously about the answer. At the same time, many State Department officials, principally at the Bureau of Near East Affairs, have long championed a rapprochement with Tehran's mullahs and have proposed offering them diplomatic carrots, perhaps in return for an Iranian pledge to allow for more intrusive IAEA inspections.

Yet Iran could eject those inspectors on short notice, and, in any case, the White House has enshrined the Pentagon's preference for "regime change" in official policy. Last July, President Bush publicly committed the United States to helping the Iranian people liberate themselves from the regime that oppresses them, and the administration is now debating funneling overt and covert aid to Iran's opposition movements. According to this line of reasoning, the problem lies not so much with Iran's fledgling atomic arsenal as

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with the mullahs who preside over it, and the surest way to put an end to that arsenal is to put an end to their reign. This calculation directly influences the question of what to do about Iran's nuclear program; for even Pentagon officials fear doing anything—including a military strike—that would infuriate the country's popular opposition.

UNFORTUNATELY, NEITHER THE IAEA strategy nor the democratic revolution strategy is likely to prevent Tehran from developing nuclear weapons. To begin with, chances are slim that ElBaradei, who only months ago was exchanging insults with the Bush administration, will supply Washington with any evidence that supports its position. "It will be very tricky to get the IAEA to do anything," says David Albright, president of the Institute for Science and International Security, "particularly since the U.S. and ElBaradei are at war with one another" over Iraq. And, in the unlikely event that ElBaradei does present a damning case, this hardly guarantees the acquiescence of the IAEA board, whose members include countries actively involved in building up Iran's nuclear capabilities, such as Russia and China.

Should the matter progress to the Security Council, there is no reason to believe the administration will fare any better there than it did during the Iraq debate. France, Germany, and other European nations have invested heavily in Iran and enjoy much closer political relations with Tehran than they did with Baghdad. Indeed, the European Union, whose bilateral trade with Iran totaled $12 billion in 2000, is in the midst of negotiating a comprehensive trade accord with the Islamic republic. "The Europeans have been promoting a policy of engagement with Iran for years," says Ray Takeyh, an Iran expert at National Defense University, "and it's unlikely they would do anything to disrupt it any time soon." This time, American officials say, even the British have no intention of following Washington's lead.

As for China and Russia, as two of Iran's main suppliers of nuclear technology, they have no incentive to back a plan hatched in Washington and numerous reasons to oppose it. Indeed, when an American delegation visited Moscow in February to press for a halt to nuclear aid to Iran, Russian officials flatly declined the request. "Iran has no plans to produce nuclear military projects," Russian Foreign Minister Igor Ivanov announced on a recent visit to Tehran. "This is a fundamental truth." The fundamental truth, however, is that its assistance to Tehran has already earned the cash-starved Russian government billions of dollars. And, even if Moscow staunches the flow of nuclear material, Pentagon intelligence estimates have concluded that Iran could produce its own bomb, as the Iranian government has been mining natural uranium for years and conceded in February that it intends to use the substance for the production of homegrown nuclear fuel.

As a response to Iran's nuclear debut, relying on popular regime change has drawbacks as well. The policy makes moral and strategic sense, but a democratization policy is not a counterproliferation policy—particularly since Iran's democrats seem as eager as anyone else to acquire nuclear capability. "I hope we get our atomic weapons," Shirzad Bozorgnehr, the reformist editor of the English-language *Iran News*, told *The Washington Post*'s Karl Vick last month. "If Israel has it, we should have it." Unlike South Africa or Ukraine, a post-authoritarian Iran is unlikely to forfeit its newly developed arsenal. Or, as CIA Director George Tenet told the Senate Select Intelligence Committee in February, "No Iranian government, regardless of its ideological leanings, is likely to willingly abandon WMD [weapons of mass destruction] programs that are seen as guaranteeing Iran's security."

TO BE SURE, regime change in Iran is a necessary precondition for security and human rights in the Middle East. But, so long as Iran possesses a nuclear arsenal, regime change is hardly sufficient. The half-life of atomic isotopes, after all, last considerably longer than the half-life of most governments. Consider Pakistan, which developed nuclear weapons as a democracy and has kept them as a dictatorship—or, for that matter, Iran, whose nuclear ambitions began during the Shah's reign. And, whether mullahs or reformers have their fingers on the button of Iran's nuclear arsenal, Iran's neighbors could well respond in kind—probably by building their own arsenals (see Michael Levi, "Royal Pain," June 2). Nor, as nuclear expert Henry Sokolski points out, does the policy take into account the possibility of third parties acquiring nuclear material from Iran or the other dangers inherent in the mere fact of an Iranian bomb.

For years, Washington has pinned its hopes on Iranian reform arriving before an Iranian nuclear program. But that hasn't happened. For years, Washington has also counted on the international community to police Iran's nuclear aims. That hasn't happened either. And, yet, the White House continues to pretend that we can rely on foreign powers and internal reform to stop Iran's nuclear ambitions. But either the United States will put a halt to those ambitions, or no one will. ■

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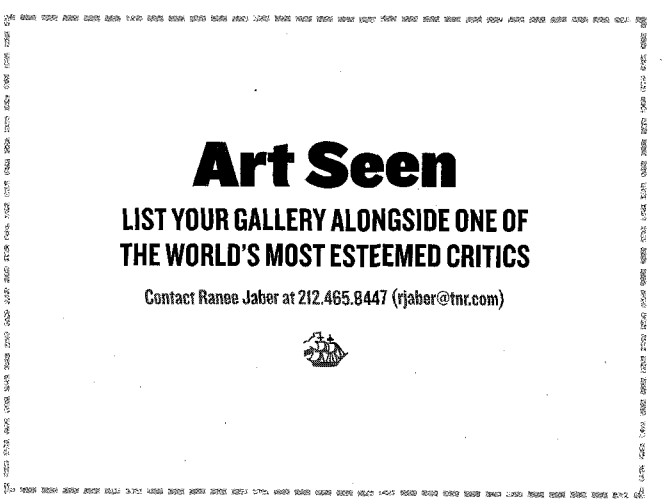

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Rating the Dems on health care.

Checkups

BY JONATHAN COHN

When Richard Gephardt unveiled his plan for near-universal health coverage in April, one of the sharpest rebukes came from fellow Democratic presidential candidate Bob Graham. "The problem I have with Congressman Gephardt's proposal is we tried that before," Graham said during an appearance on ABC's "This Week." "That is what President Clinton and Mrs. Clinton tried to do in 1993 and 1994. And what we found was that the health care system in the United States is so complex, and there's so many groups that have a vested interest in the status quo, that it just fell apart."

Actually, Graham got it exactly wrong. You can say a lot of things about Gephardt's plan: that it would cost too much, that it wouldn't wring out the system's inefficiencies, that it wouldn't improve the quality of care. But one thing you can't say is that it looks anything like the Clinton plan. Clinton, after all, wanted to abolish most employer-based insurance and create an entirely new health care bureaucracy in its place. Gephardt wants to preserve job-based insurance for those who have it while obtaining it for those who don't—in effect, leaving the system exactly the way it is now.

As Gephardt sees it, trying to do anything more radical would doom a plan to failure: "You've got to have something that can pass," he recently told columnist Matt Miller. And Gephardt is hardly alone in thinking this. As of this writing, three of the major Democratic candidates for president—Gephardt, Howard Dean, and John Kerry—have unveiled ambitious, detailed proposals for making health insurance more available. The other three—Graham, John Edwards, and Joe Lieberman—have indicated they'll soon do the same. But, while the candidates' visions differ in shape and scope, they share a common political premise: reviving Clintoncare would be a big mistake. "We've learned from that," Dean said on NBC's "Meet the Press" last year. "We've learned that we cannot radically reform the health care system."

Unfortunately, political realism doesn't always produce the best policy. The reason the Clinton plan was so complicated—and ultimately so unpopular—was that it made difficult trade-offs in an effort to solve the health care system's myriad, interconnected problems: Clinton was determined to both expand coverage and hold down costs, to help people with insurance as well as those without it, to give consumers more power while still reducing their consumption of excess care. No plan now under discussion harbors similar ambitions. Indeed, none of the plans proposed by the major candidates would actually achieve "universal" coverage—that is, making sure every American has insurance—even though the candidates frequently cite that as their goal.

Nevertheless, there's still something to be said for what the Democrats are proposing. Each of the six major candidates has called for repealing at least some of the Bush tax cuts; now it looks like each of them wants to spend at least some extra money on subsidizing health insurance for those who can't afford it. That's a direct transfer of government money from people who don't need it to people who do. While none of the major candidates would make the health care system perfect, all would make it better, far better than would George W. Bush.

One way to think of each plan is as a near-perfect distillation of its author's character and experience. That's certainly true of Gephardt's proposal. Gephardt was House majority leader back in 1994, and he remembers all too well how employers, insurance companies, and other groups with something to lose from reform killed the Clinton plan. Rather than confront those special interests all over again, Gephardt now proposes to buy them off.

The first step in Gephardt's plan is requiring all businesses to provide their employees with health insurance. Normally, such a requirement, known as an "employer mandate," would be anathema to business lobbies. But Gephardt sweetens the pill by offering companies tax credits worth 60 percent of their insurance costs—effectively doubling the existing government subsidy for employee health insurance. In theory, companies that don't currently provide insurance could suddenly afford to do so; those that already provide insurance would see their costs decrease dramatically. Employees, in turn, would benefit from higher wages and more stable coverage. (The only people left out would be the unemployed; Gephardt would assist them through expanded state programs such as Medicaid.) Even private insurance companies would make out well under this scheme since they'd end up with a lot more business. In the end, Gephardt says, he'd extend insurance to about 30 million additional people, or about three-fourths of the uninsured population, while stabilizing coverage for those who already have it.

It all sounds lovely—until you see the price tag. To finance his plan, Gephardt would have to repeal all of the Bush tax cuts. That means rescinding not just the parts that primarily benefit the wealthy (like elimination of the estate tax) but also those parts that benefit the poor and working class (such as the increase in the child tax credit). Gephardt says he relishes a fight pitting tax cuts against health insurance. But, in proposing a scheme that rescinds tax breaks for individuals in order to finance what looks like tax breaks for businesses, Gephardt invites political attacks, such as the one Edwards

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launched during the South Carolina debate in early May: "That's taking money that people desperately need and giving it to . . . the very people that we've had trouble with. . . . It feels like saying, 'You're in good hands with Enron.' "

In fairness to Gephardt, the Edwards attack was pretty misleading: Most economists believe tax credits for health insurance generally pass through to workers in the form of higher salaries or better benefits. That's one reason why Gephardt touts his plan not just as a health care reform but as a stimulus, too. "Gephardt's plan is actually a lot less expensive to society as a whole than it seems," says Len Nichols, vice president of the Center for Studying Health Systems Change. "It's just substituting public dollars for private dollars we're already spending on health care."

A better criticism of the Gephardt plan focuses on what it doesn't do. Because the tax credit is good no matter how expensive health insurance gets, it means employers and consumers would have even less incentive than they do now to seek out cost-effective health insurance plans—which would likely contribute to wasteful medical spending. Problematic, too, is the fact that, although business makes out well under Gephardt's plan, there's no guarantee the business lobby will support it politically. (Back in 1994, large employers and insurance companies would have probably benefited from the Clinton health care plan. But they turned on it with fury nonetheless.) Finally, the Gephardt plan doesn't leave much room for financing other government priorities. Unless Gephardt is willing to run up huge deficits or raise taxes, he'll have no significant new money for schools or homeland defense. Nor can he shore up Social Security and Medicare.

DEAN CONSIDERS HIMSELF a hard-line fiscal conservative, which helps explain why he never considered anything as expensive as what Gephardt is proposing. But, like Gephardt's, Dean's proposal is very much a product of his own experience fighting for health care in the '90s.

While Clinton was busy trying to sell Washington on his "managed-competition" scheme, Dean was proposing a similar system for Vermont. But, when Dean's crusade met the same miserable fate as Clinton's, he didn't give up. Instead, Dean concentrated on incremental coverage expansions using the programs that already existed: Medicaid and the State Children's Health Insurance Program, known as S-CHIP. By the time Dean was done, nearly every child in the state was eligible for some sort of coverage. When Dean began running for president, he indicated that he'd base his health care proposal on the programs that had served him so well in Vermont.

Kerry's health care proposal is the product of a different sort of journey. Kerry is a relative stranger to health care issues; although his voting record would make any liberal proud, he's been neither a major player on Capitol Hill

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(like Gephardt) nor a major innovator at the state level (like Dean). But, in his run for president, Kerry has become the candidate of the Democratic establishment—the successor to Al Gore. So he has been able to assemble a seasoned circle of advisers that represent the Democratic Party's best and brightest on health care, including veterans of the 2000 Gore campaign (Sarah Bianchi), the 2000 Bradley campaign (David Cutler), and the Kennedy Senate staff (Nick Littlefield).

These experts have steered Kerry to the same approach Dean favors: expanding state-run insurance to cover the poor and near-poor, then opening up the Federal Employees Benefits Program—the system that covers federal workers and members of Congress—to everybody else without insurance. (Technically, Dean would actually create a separate plan called the "Universal Health Benefits Program," but it's the same basic idea.) The poor would end up in state-managed insurance, which has proved pretty successful over the years. Meanwhile, people higher up the income ladder who don't get insurance through their jobs could select from a menu of private plans—the same menu from which federal workers now choose—allowing them to buy insurance at affordable "group" rates. (Since some people still couldn't afford these rates, Dean and Kerry would also use tax breaks to offset the cost.)

The plans are not identical. Dean is more aggressive when it comes to the working poor: He guarantees state-run insurance to children under 300 percent of the poverty line but defines children as anybody under 25. That's good for public health since it means providing comprehensive coverage—including prenatal care—to more women in their child-bearing years. Kerry, by contrast, has thoughtfully included what's known as a "reinsurance" scheme, under which the government would assume financial responsibility for the most expensive patients, who constitute a small minority of the population but a significant share of overall health care costs, thereby lowering premiums. But features such as these represent relatively modest differences; either candidate could incorporate them later on. What's important about the plans is what they have in common: Both would apparently expand insurance coverage by nearly as much as Gephardt's plan would, but they would do so for less than half the price.

The problem is Dean's and Kerry's plans could be tough sells politically. For starters, the Dean-Kerry approach does a lot less for people who already have insurance: Under Gephardt's scheme, somebody who already has employer-provided health insurance would probably see his paycheck increase; under Dean's or Kerry's plan, he'd probably see no immediate change. Indeed, since most of the money in the Dean and Kerry plans is spent providing insurance to those who don't already have it, many voters might see it as welfare—a charge that hurt Clinton's plan.

The Dean and Kerry schemes are also maddeningly complex. Kerry's "reinsurance" plan will go over great at the Brookings Institution, but try explaining it on a 30-second TV ad. And, while the essence of Dean's plan is building on existing programs—particularly, the Federal Employees Benefits Plan and S-CHIP—he has inexplicably given their new incarnations new names, the "Universal Health Benefits Program" and "Family and Children Health Insurance Program," each a mouthful of unnecessary complication. Indeed, on a media conference call shortly after his major health care speech in April, Dean stumbled over its details and had to refer questioners to his policy advisers for clarification.

WHILE THE OTHER candidates haven't made their plans public, it seems likely they will neither be as expensive as Gephardt's nor as complicated as Dean's and Kerry's. Instead, Edwards, Graham, and Lieberman will probably call simply for expanding state-run programs, such as Medicaid and S-CHIP, with lower spending than the others. That would mean helping fewer people.

Perhaps because Democratic activists crave bolder action than these limited extensions suggest, all three men have been trying to change the subject, bringing the conversation around to the issues they know best. Press Edwards about health care, and he invariably responds by talking up the issues he dealt with as a trial lawyer and has worked on in his brief senatorial career: HMO reform and medical-malpractice laws. Ask an adviser to Graham about health care, and chances are you'll hear about Medicare—and Graham's record of protecting it for Florida seniors. In mid-May, when the press started writing about the other candidates' plans, Lieberman decided to make his own major policy speech—only, instead of focusing on increasing access, he proposed increasing government-sponsored medical research, a longtime interest.

Whatever the merits of these ideas, all three candidates are missing the point. The reason health care is a lively topic today isn't that people are upset about malpractice laws or that doctors still haven't cured cancer. It's that, at a time of rising insurance premiums and declining job security, people worry whether they can continue to afford health coverage—or, in the case of the uninsured, whether they can get it at all.

Then again, the ultimate standard of comparison isn't Edwards versus Dean or Graham versus Gephardt; it's the eventual nominee versus President Bush. And that's a much clearer call. Bush's lone proposal to help the uninsured consists of a tax credit too small for many people to buy a decent policy. And, while Bush grudgingly signed off on a modest increase in Medicaid funding for this year—in order to get his tax cut through Congress—he favors a reform plan that would, over time, dramatically reduce the federal commitment to Medicaid, almost certainly leading to even greater numbers of uninsured Americans. Reasonable people can disagree about which Democrat has the best plan, but nobody can dispute that, when it comes to helping the uninsured, they'd all do a better job than the guy who's in the Oval Office today. ■

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What Woodrow Wilson can teach today's imperialists.

History Lesson

BY JOHN B. JUDIS

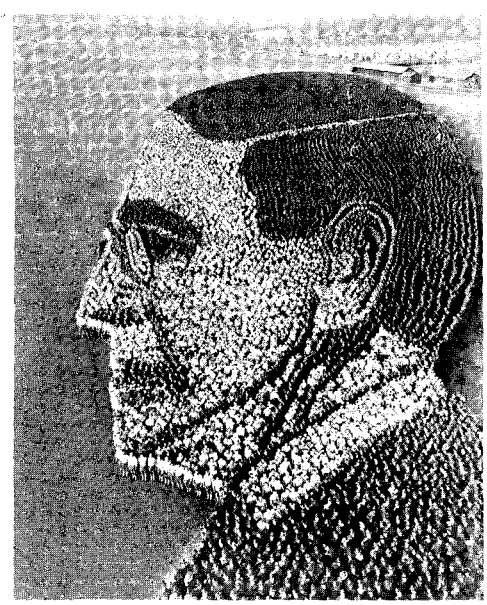
HISTORY IS NOT physics. Studying the past does not yield objective laws that can unerringly predict the course of events. But peoples do draw lessons from history and change their behavior accordingly. Western European countries, for instance, took the experience of two world wars as reason to change radically their relations with one another. The United States took the experience of the Great Depression as reason to alter the relationship between government and the market.

Historical lessons can also be unlearned or forgotten. The New Left of the 1960s, for instance, forgot the lessons of an earlier "God that failed" and projected the same hopes for a communist utopia onto Castro's Cuba or Ho Chi Minh's Vietnam that earlier generations had projected onto the Soviet Union. And, today, the right is going through its own bout of historical amnesia. Conservatives, forgetting the lessons of the early twentieth century, are attempting to rehabilitate the long-discredited strategy of imperialism.

The revival is centered in East Coast journals and think tanks, from *National Review* and *The Wall Street Journal* editorial page in New York to the American Enterprise Institute, *The Weekly Standard*, *Policy Review*, and the Project for the New American Century in Washington. In an October 2001 *Weekly Standard* cover story, Max Boot called on the United States "unambiguously to embrace its imperial role." In *Foreign Affairs* last July, Thomas Donnelly, a former Lockheed official who is a senior fellow at the Project for the New American Century, wrote that "American imperialism can bring with it new hopes of liberty, security, and prosperity." In *Policy Review* last April, Stanley Kurtz called for a new "democratic imperialism."

Although the Bush administration's foreign policy is a mix of different ideologies, it has clearly been influenced by this new imperialism. Evidence can be found in the cultlike popularity of Theodore Roosevelt, the president many conservatives take as their guide to a neo-imperial strategy. (George W. Bush has declared Roosevelt his favorite president, and Donald Rumsfeld displays a plaque quoting TR on his Pentagon desk.) More important, it is evident in the administration's attitude toward international institutions, its arguments for invading and occupying Iraq, its case for preventive war, and even its international economic strategy.

This new imperialism differs in some respects from the older U.S. imperialism of Roosevelt and Senator Henry Cabot Lodge—the new imperialists don't assume, for instance, the superiority of the Anglo-Saxon race or seek the spread of Christian civilization—but it is sufficiently similar to raise the question of whether these new imperialists are reviving a strategy that failed the United States 80 years ago. That failure was understood most clearly by Woodrow Wilson, who offered not only the most compelling critique of U.S. imperialism but also the most thoughtful alternative—a liberal internationalism that served the United States well in the second half of the twentieth century and could guide Americans again today.



American soldiers form a likeness of Woodrow Wilson in 1918, the year he proposed a new League of Nations.

THERE HAVE BEEN empires since the Greeks and Romans, but modern imperialism, and the term "imperialism" itself, appeared in the late nineteenth century. From 1870 to 1914, when World War I began, the great European powers and Japan carved up Asia and Africa into colonies, protectorates, and client regimes. The United States, still recovering from the Civil War and having not yet completed its continental expansion, initially forswore any imperial ambitions. But, by the 1890s, a powerful lobby led by Roosevelt (who would become assistant secretary of the Navy in the McKinley administration) and Lodge was calling for an "expansionist" foreign policy.

Like their European counterparts, the American imperialists were worried about ensuring national prosperity. They contended, particularly after the depression of the mid-1890s, that, if the United States failed to gain a foothold in Asia and Africa, it would be denied access to raw materials and important markets for the surplus of

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goods that its factories could now produce. But Roosevelt and Lodge also saw imperialism through the prism of geopolitics, social Darwinism, and evangelical Protestantism. Roosevelt regarded it as integral to a struggle for the "domination of the world" that the United States must either win or lose. If the United States failed to seize the Hawaiian Islands, Roosevelt warned in 1898, they could be "transformed into the most dangerous possible base of operations against our Pacific cities." Imperialism also offered a way to provide moral uplift to Americans—by fostering a spirit of what Roosevelt called "national greatness"—and to extend the benefits of American, and more broadly Anglo-Saxon and Christian, civilization to the "barbarous" peoples of Asia and Africa. Wrote Roosevelt in 1901, "It is our duty toward the people living in barbarism to see that they are freed from their chains."

The American imperialists first got their chance in 1898. Accusing the Spanish of blowing up the battleship *Maine* in the Havana harbor (the explosion later turned out to be from a defective boiler), the United States declared war on Spain and seized its possessions in the Caribbean and the Pacific, including Cuba and the Philippines. The United States, it seemed, had enthusiastically entered the imperial fray.

Yet, in less than a decade, the United States would abandon its imperial mission and, five years after that, explicitly repudiate it. The abandonment of imperialism began, ironically, with Roosevelt. While publicly continuing to support an imperialist foreign policy, Roosevelt actually allowed U.S. possessions to shrink during his two terms as president (1901–1908) and resisted pleas to establish new U.S. bases in China and the Caribbean. In 1902, he wrote to prominent New York lawyer Frederick Coudert, "Barring the possible necessity of fortifying the Isthmian canal or getting a naval station, I hope it will not become our duty to take a foot of soil south of us."

Like Roosevelt, Wilson was an early advocate of imperialism—for example, arguing in 1902 that the "impulse to expansion is the natural and wholesome impulse, which comes from a consciousness of matured strength"—but refrained from endorsing it once he ascended to the presidency. In 1913, his first year in office, Wilson withdrew America's support for a bank consortium in China that the United States, along with Britain and other occupying powers, had established to parcel out China's economy. "I will not help any man buy a power which he ought not to exercise over fellow beings," he commented. He also pressured Congress to grant early independence to the Philippines and citizenship to Puerto Ricans.

Most important, Wilson made self-determination and an end to colonialism the hallmarks of his plan for ending World War I and preventing future wars. During the Senate debate in 1920 over the League of Nations, Wilson argued that Americans had "a choice between ... the ideal of democracy, which represents the rights of free peoples everywhere to govern themselves, and ... the ideal of imperialism, which seeks to dominate by force and unjust power." Imperialism, to Wilson, was not an instrument of democracy but an obstacle to it.

WHAT INITIALLY TURNED Roosevelt privately and Wilson publicly against imperialism were the nationalist backlashes that America's imperialist policies provoked. Roosevelt and other American imperialists had believed they could impose U.S. civilization upon conquered peoples as readily as they had transformed the continental frontier. But, in the first decades of the twentieth century, they were to discover that imperial intervention inspired anti-imperial nationalist movements that frustrated U.S. objectives. Roosevelt had promised to "civilize" the Filipinos, but, soon after the United States took power in 1898, it faced a succession of violent national rebellions. By 1902, at least 4,000 Americans and 200,000 Filipinos had been killed. When World War I began, Roosevelt finally urged U.S. withdrawal from the Philippines.

Wilson experienced similar frustration in Mexico. The Mexican Revolution had begun in 1910, and the next year liberal constitutionalist Francisco Madero overthrew dictator Porfirio Diaz. In 1913, Madero was murdered and replaced by General Victoriano Huerta. With Mexico on the verge of civil war, Wilson landed troops in Veracruz to depose the unpopular Huerta. "I am going to teach the South American republics to elect good men," Wilson declared. But Huerta used Wilson's intervention to rally support against Yankee imperialism. And Huerta's successor, the revolutionary Venustiano Carranza, fearful of being identified with the Yankee invaders, rebuffed Wilson's diplomatic overtures. Wilson, biographer Kendrick A. Clements writes, was "stunned by the fury with which the invasion was greeted by Mexicans of all political persuasions." Although Roosevelt and others urged him to impose a pliant regime on Mexico by force, Wilson instead withdrew the troops and recognized Carranza. "There are in my judgment no conceivable circumstances which would make it right for us to direct by force or threat of force the internal processes of what is a revolution as profound as that which occurred in France," Wilson wrote to his secretary of war in August 1914.

Wilson's opposition to imperialism was hardened by World War I. Proponents of empire had previously argued that imperial expansion would reduce the chances of global war by eliminating unstable regimes in Africa and Asia. "Peace cannot be had until the civilized nations have expanded in some shape over the barbarous nations," wrote Roosevelt in 1894. But, by making the struggle for imperial domination integral to a nation's power and prosperity, imperialism instead led to a succession of conflicts culminating in world war: the Russo-Japanese war in 1904–1905 over Manchuria and Korea; the clashes between Germany and France over French North Africa in 1906 and in 1911; the Anglo-German naval arms race for control of the seas and the world's commerce; the growing tensions in the Middle

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East, where oil had been discovered; and, finally, the outbreak of war in 1914 between Austria and Russia over Turkey's former possessions in the Balkans, a conflict that quickly pulled in all of Europe's great powers. When the United States entered the war in 1917, Wilson would publicly blame it on German militarism. But, when it came to making proposals to prevent future wars, Wilson showed that he believed imperial rivalry lay at the root of the conflagration. "For my own part," he told the Senate in 1920, "I am as intolerant of imperialistic designs on the part of other nations as I was of such designs on the part of Germany."

Wilson saw imperialism not simply as a strategy or policy but as a system of international relations that had to be thoroughly uprooted. It was characterized by a hierarchy of power in which the larger, more powerful nations competed violently with each other to dominate the smaller, less powerful ones. To the extent it didn't immediately lead to war, it was because of a coincidental and transient balance of power among the larger powers. The system itself, he believed, was inherently unstable as well as unjust.

WILSON DIDN'T BELIEVE he could eliminate hierarchies of power, but he contrived to create a mediating system of international law and organizations that would protect the sovereignty and independence of smaller, weaker nations. Within this realm, all nations would become equal, just as all citizens were legally equal, regardless of their strength or wealth, within a democracy. In his Fourteen Points, which he announced to Congress in January 1918, and in the draft charter of a new League of Nations that he wrote and introduced the next year, Wilson called for phasing out colonialism, eliminating protectionist trade barriers, and establishing a worldwide system of free trade. "There must be, not a balance of power, but a community of power," he explained, "not organized rivalries, but an organized common peace."

Like Roosevelt, Wilson believed that Americans were chosen to transform the backward nations of the world. He thought of the United States "as the light of the world as created to lead the world in the assertion of the rights of peoples and the rights of free nations." Citing this commitment to global democracy, some of today's neoconservatives, including my colleague Lawrence F. Kaplan, have argued that they are the true heirs of Wilsonianism. But, unlike the turn-of-the-century imperialists or today's neoconservatives, Wilson did not believe the world's great powers, acting individually, should impose their political beliefs or economic systems on former colonies or protectorates. Instead, Wilson believed the great nations had to act together within an organization such as the League of Nations. He proposed a "mandate system" by which the transition to self-government in Africa or Asia would be overseen by smaller, non-imperial nations, such as Sweden. Wilson believed in spreading democracy and Christian civilization, but he believed the United States had to do it through international organizations and outside the framework of imperial power.

At Versailles, America's allies rejected Wilson's proposals for free trade and an end to imperialism. They insisted that German aggression was the sole cause of World War I and sought to curb it through reparations and a divvying up of German colonies. Back home, Lodge and conservative Republicans rejected even the weakened League of Nations because they feared it put America's foreign policy at the mercy of an international organization.

Wilson's internationalism was shelved for two decades, but the outbreak of World War II, precipitated by Germany, Italy, and Japan's efforts to conquer Europe, Africa, and Asia, confirmed Wilson's warnings that the system of imperialism, if not uprooted, would again lead to war. And so the Franklin Roosevelt and Truman administrations adopted the outlines of Wilson's approach. They made ending imperialism and dismantling trade and currency blocs one of their principal war aims; and, rejecting Wilson's reliance on a single organization, they built many international organizations—including the United Nations, NATO, the International Monetary Fund (IMF), and the World Bank—that attempted to create a "community of power" without ignoring existing disparities of power.

The events of the last 50 years have confirmed the correctness of this neo-Wilsonian strategy. The second half of the twentieth century, when compared with the first, was prosperous and pacific. The international institutions the United States built helped to win the cold war against the Soviet Union, which under Stalin became heir to czarist Russia's imperial ambitions. The British, French, Germans, Italians, and Dutch abandoned their empires and subordinated their national ambitions to a new, supranational organization, the European Union. Under the IMF, GATT, and now the World Trade Organization, the world has tempered the older cycle of boom and extreme bust.

In addition, the World Bank—along with the United Nations, the European Union, and NATO—has, to a considerable extent, taken over the civilizing and stabilizing functions that the imperial nations once claimed for themselves. Some of these efforts have been less than successful, but, in Africa and Asia, these organizations have helped guide former colonies toward self-government. As a last resort, the United Nations and NATO have sanctioned the use of force to protect or expand the community of power—in 1991, the United Nations backed the coalition that drove Saddam Hussein out of Kuwait, defending the sovereignty of a smaller, weaker nation, and, in 1995 and 1999, NATO took action against Slobodan Milosevic in the former Yugoslavia.

REPUBLICAN CONSERVATIVES EMBRACED this Wilsonian approach grudgingly during the cold war, backing NATO, if not the United Nations, as a means to defeat communism. But, after the fall of the Berlin Wall in 1989, conservatives divided into two camps. Some, led by former Reagan official Pat Buchanan

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and House Republicans, reverted to the isolationism and protectionism of 1920s Republicans. Others, led by neoconservatives such as Paul Wolfowitz, William Kristol, Richard Perle, and Robert Kagan, continued to advocate the transformation of the world in America's image, but they repudiated Wilson's internationalist methods in favor of Roosevelt's imperial strategy. As Kristol explained in *Commentary* in January 2000, "[T]here is a fundamental difference between us and the true Wilsonians—between, that is, the muscular patriotism of Teddy Roosevelt and Ronald Reagan and the utopian multilateralism of Woodrow Wilson and Bill Clinton."

Like Roosevelt and the late-nineteenth-century expansionists, the new imperialists want to transform the politics and allegiances of countries and regions, and they are willing to use force unilaterally to do so. Like the old imperialists, the new ones see overseas intervention in evangelical, although secular, terms. They believe in what the Hoover Institution's Dinesh d'Souza has called "America's evident moral superiority" and see the United States as having a special responsibility to transform the world in its image. "[I]mperialism as the midwife of democratic self-rule is an undeniable good," Stanley Kurtz writes. And, like Roosevelt, they see the politics of this new imperialism as an expression of patriotism and of support for "national greatness."

The new imperialists are even less equivocal than the old in rejecting multilateral institutions. Now that the United States has become the premier world power, they argue, it has no need for international organizations except on an ad hoc basis. Unlike Wilson, or contemporary Wilsonians such as Bill Clinton, they actually prefer for the United States to act alone or in ad hoc coalitions that the United States dominates. And they despise the United Nations, which Perle has described as the "chatterbox on the Hudson" and columnist Charles Krauthammer has opined should "sink ... into irrelevance."

Wilson wanted a world in which the community of power would eventually overshadow the balance of power. The new imperialists regard that as a dangerous illusion. They think the United States will always have to depend on superior military power for its security; employing it, if necessary, to eliminate or intimidate potential competitors and adversaries. Wilson wanted a mediating realm of equal, independent nations governed by Kantian moral universality, in which what is justifiable for one country must be justifiable for all. The new imperialists invoke America's global mission to limit the prerogatives of other nations but not the United States. They support sustained violations of other nations' sovereignty, for instance, in the name of nonproliferation and human rights, but reject virtually any infringements on U.S. sovereignty at all. As Stephen Peter Rosen wrote in *The National Interest*, "The organizing principle of empire rests ... on the existence of an overarching power that creates and enforces the principle of hierarchy, but is not itself bound by such rules."

DURING BUSH'S PRESIDENCY, the primary goal of the new imperialists has been winning support for an invasion of Iraq that would overthrow Saddam's regime and transform the entire region. By democratizing Iraq and pulling its oil industry out of the Saudi-dominated OPEC, they believed they could bring the region into America's orbit in much the way the older imperialists had imagined turning the western Pacific into an American sphere of influence.

Colin Powell and the State Department, by contrast, advocated conditioning the invasion on U.N. support. But, even after Bush acceded to Powell's arguments and went to the United Nations in September 2002, it was clear that the United States was committed to an invasion with or without U.N. support. After Baghdad fell, Powell once again advocated a Wilsonian approach, but once again he appears to have lost the debate to the neo-imperialists in the Pentagon. The United States has taken control of Iraq's oil industry (hinting already it will not honor OPEC quotas) and shunned international supervision of Iraq's transition to self-rule.

If the Bush administration continues its present course, Iraq will be a good test of whether America's new imperial strategy can escape the pitfalls that doomed the last one. Indeed, there are already warning signs that the United States could encounter the same anti-imperial nationalism in Iraq that bedeviled it in the Philippines in the early 1900s and in Mexico in 1914. Since Saddam's statue fell on April 9, there have been continual demonstrations calling for the United States to leave Iraq. (By contrast, there have been very few organized expressions of support for the U.S. occupation.) On May 20, in Baghdad, 10,000 marched from a Sunni mosque to a Shia shrine bearing signs that read, NO, NO, NO U.S.A. The two major Shia clerics currently vying for leadership—Ayatollah Muhammad Bakr Al Hakim and Moktada Al Sadr—have both called for the United States to leave Iraq. Even the generally pro-American Kurdish leaders have turned truculent since the U.S. decision to postpone the creation of an interim Iraqi government.

The U.S. show of force in Iraq may have cowed neighboring regimes, but it does not seem to have intimidated Islamic radicals, who have resumed and even stepped up terrorist attacks in the region. Writing in the British *Guardian*, Saad Al Fagih, a leading Saudi dissident, warned that the U.S. invasion and occupation in Iraq could strengthen Islamic radicalism: "The invasion and occupation of Iraq will never be seen as a liberation. The sight of U.S. tanks in Baghdad has been regarded as the most humiliating event for Arabs and Muslims since 1967. ... [Osama] Bin Laden and his supporters can now be expected to see his war as more justified than ever because of the occupation of Iraq." Many European intelligence agencies seem to agree.

Americans generally interpret this growing Islamic radicalism as a new phenomenon. And to some extent it is. But it is also a particularly ugly manifestation of a Third World nationalism that has frustrated imperialist efforts since

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SPAM, PRIVACY, AND E-COMMERCE

The Internet survived the burst of the bubble. How will it handle spam, privacy, and new taxes?

ON MAY 21, 2003, *The New Republic* convened a symposium of leaders from the nation's technology sector to debate the best way to regulate the Internet and the proliferation of spam, the wave of unsolicited e-mail. Panelists agreed that no one solution would be a panacea to the problem but instead supported an integration of technology, legislation, and the courts. However, in general, the panelists favored market-based solutions over broad legislation that could bring unintended consequences. The panelists discussed the limits of Internet privacy and the extent to which consumers are informed about their rights. The following is an edited transcript:

THE PANEL

ROB COURTNEY
Policy Analyst, Center for Democracy and Technology

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MODERATED BY

JEFFREY ROSEN
The New Republic
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MODERATOR: Describing the privacy challenges as a complex combination of regulations might be a good way to frame our conversation. I want us to think broadly about who is best-equipped to protect privacy in this complicated new age: Congress, the courts, the technologists, or some combination of those three groups. So let me just begin directly to my right with Rob Courtney, a policy analyst for the Center for Democracy & Technology [CDT].

ROB COURTNEY: I think it has become increasingly clear that purely technological solutions are not going to be a silver bullet to solving this problem. Therefore, CDT believes that the other two entities you mentioned, the courts and the Congress, are also going to have a role to play. We think increased enforcement of existing law could make a major impact on the spam problem. We also believe that spam legislation can be a very effective tool.

MODERATOR: [Ramsen Betfarhad], why don't you give us an overview of the legislative challenges that your committee is facing and your sense of how they're going to play out?

RAMSEN BETFARHAD: In terms of coming up with any optimized solution dealing with any issues that impede electronic commerce, to be more specific, it is important for the consumer to be aware that there are technological developments and developments of various economic and business models. The consumer has yet to catch up in terms of the significance of these activities and the significance of these activities with respect to their individual choices, one critical choice being their privacy. So, the basic supposition is empower them by removing the information asymmetry to the extent possible.

One example is my own wife. Until I engaged this issue, she would, on a regular basis, be filling out those cards, and she was wondering why (a) she was getting a lot of marketing pitches, (b) now she's wondering why she is getting so much spam. So, that said, is it a matter of choice?

If you empower the consumer and let them know that they need to be more rigorous with their passwords, for example, the consumer in turn can put pressure on. Let's say, our MIS folks on the House side make sure that proxy servers are not made available to everyone and their grandmother. Or at ISPs, when they become more rigorous in terms of their filterings and activities, the consumers are aware of what the significance of that filtering is, and there is a good dialogue between them.

MODERATOR: Does this stuff work economically, first of all, because there's skepticism about whether this sort of targeted and user-based profiling actually had economic returns. And what are ways of assuaging of consumer fears about spam, even as the Internet relies on it to go?

MICHAEL MAYOR: To answer [the moderator's] question on who is the right body to solve the spam issue, I think it's the one that understands the problem, and I don't think too many do. And I think that what we're seeing right now is all these interest groups coming at it from their perspective. The technology side, what do they come up with? Of course, they come up with filtering; that's a technology solution. Well, filtering

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doesn't work either. Filtering is an imperfect tool, and it's just up to you, the consumer, to decide how much imperfection you're willing to live with. That's not a solution.

And here I am in D.C., and, you know, there are some flaws with thinking that legislators can solve this problem too, because legislators are making a very gross assumption when they think that companies such as NetCreations know the postal information; sometimes we don't. It's all permission-based. They tell us what they want us to know. If they don't give us their zip or their state or their country, we don't know where they are. So how do we abide by any law? Our answer as a company is we have a practice that goes above and beyond any state law or any federal law that's been proposed, and double opt-in does that.

MODERATOR: We're next delighted to hear from Gary Doernhoefer. Are people concerned about different privacy issues today than they were before 9/11, and what's your conception of the shape of the debate today?

GARY DOERNHOEFER: Thank you. When I took over this job as general counsel and began looking into the privacy issues prior to our launch, what I found was there was an awful lot of discussion about privacy, but there was very little detail.

The debate, though, was quite loud until September 11, 2001, when the tragic events of that day silenced, from our perspective, the debate about privacy instantly.

I would say since 9/11, this shifting—the vast shift in the scale in terms about security rather than privacy—I would say the privacy debate, from our perspective, has slowly grown back, but it's growing in different ways.

Orbitz has been identified and has been sued in the state of Utah with what we view as an expansive reading of the Utah anti-spam statute, to include even pop-up advertising. This is an example of what can go wrong with state-by-state legislation that may not be carefully crafted and granted the right of private enforcement.

A recent study by Forrester Research gives you the sort of data like this. I receive too many e-mail offers—that question asked against all e-mail marketing databases—70 percent said yes. I receive too many e-mail offers and promotions related to travel; the number drops to 39 percent. I suspect, for other niches, in addition to travel, that kind of spread is going to continue to occur. What that tells you is the broad-based solution is going to frustrate consumers' ability to get information they actually want, in a substantial way.

MODERATOR: Tell us, Scott Shipman, what do you do as chief privacy officer, and what do your customers care about when it comes to privacy?

SCOTT SHIPMAN: What do our users want? Essentially, they believe that they're all good, so they have no problem with a law enforcement policy that says, contact information, in and of itself, which is generally public information, is information that we will disclose. In the registration process, users that register agree to high principles.

Rob Courtney:
"IT HAS BECOME INCREASINGLY CLEAR THAT PURELY TECHNOLOGICAL SOLUTIONS ARE NOT GOING TO BE A SILVER BULLET TO SOLVING THIS PROBLEM."

We do not disclose anymore than contact information to law enforcement without a subpoena and a specific criminal investigation.

And, actually, recently we revised our privacy policy to be effective May 25—just around the corner. And, as part of doing that, we met again with users and asked them, is this something that make sense to you, something that you prefer, is this something that doesn't sound good to you? And overwhelmingly we thought we were going to receive a large response to really debating the issue back and forth, and overwhelmingly the users said, you know, it helps make the site safer, and it helps catch the bad guys quicker. That's fantastic.

MODERATOR: Very good. Lots of rich themes; let me just pick up on a broad one, and then we'll move to the question of the comparative abilities of Congress and the courts and the technologists. Why should an individual user be concerned about the collection of data?

Although people say in the abstract that they care about privacy, perhaps they actually don't much. Is this a problem for regulatory efforts?

MR. MAYOR: There's a lot of ways to look at that question, and I'll go back to kind of our business model. Everything that we asked the consumer is self-reported. They could be telling us that they live in Florida, but they're actually in New York. But we don't press them for information; we only go as far as they're willing to go.

MR. DOERNHOEFER: It's a sort of irrational fear of, I think, just the general unknown, that, once they put that data into the computer, we're just not quite sure where it's going to go or where it's going to end up. It's a difficult thing to attack.

MR. BETFARHAD: Let me suggest a couple of things, one going back to the question of confidence and trust. Individual consumers are looking for proxies for trust. What I mean by proxy, it means security assurances, whether the online transaction is secure. Recourse: Do they feel that they have some recourse if some harm is done to them? The expectation is that the firm is one that has substantial money vested, and a trademark, that they would be much more responsive to their concerns as opposed to a firm that they're not that familiar with, and so on and so forth.

MODERATOR: People will sell their privacy for a toaster. Who are these people?

MR. BETFARHAD: The fact is this: Every survey we looked at had very high concern for privacy across the board, irrespective of the group being surveyed.

But then, if you go back to these more specific questions and say, OK, would you forgo your privacy for a 25 percent discount on shaving cream? All right, maybe I'll let them have my name. Would you give them your age or your particular affiliation, if you belong to a discount club or not? If you look at those, then people start releasing information.

MR. SHIPMAN: One of the things that I would speculate is that there are a couple of fac-

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tors that really lead to those actions. One is it's very easy to provide someone else's or the wrong information. So authentication is really a key issue when we're talking about disclosing information.

The other thought that I would also speculate on is the notion that, I think, even if you look to principles, when you're talking about people who are giving information in exchange for a toaster, or in exchange for an opportunity to win the Jaguar in the mall, I think that there is a primary purpose, and there are still secondary purposes, and I think that, when it comes back to, I recognize now that my information is being used for something wholly separate from that Jaguar sweepstakes, and when it gets to that secondary purpose I would speculate that even consumers in the United States would agree that they have a level of expectation that when they provide that information it's being used for a primary purpose.

MR. BETFARHAD: One of the key tests or issues that I know a lot of people on the Hill are concerned about with respect to spam is the question of opting out, but who, to what level, how many tiers, how many levels of—it's a key. It's very important.

MODERATOR: I want to ask Rob, you believe that technologists and Congress and courts can craft reasonable balances between identifiability and security. Is this a doomed hope?

ROB COURTNEY: Well, I wouldn't say it's doomed, exactly. I think the problem we continue to see is the need for consumers to be informed about these issues and to have fair information practices—notice, choice, access, security—and to really understand, when you give your e-mail address, you're not really just giving it for the purpose of a toaster, you're giving it for other purposes as well. And I wonder—you know, we've all speculated that were information provided in that context, would you give your information for a toaster and for the following purposes, and it's going to go to these other firms, and they have privacy practices of their own that you can visit at their hundred different websites; maybe the people might be less willing to surrender that kind of information.

MODERATOR: So the argument you just made is for a market-based solution to spam, which would involve transparency. We can talk all morning about the wonderful variety of privacy-enhancing technologies—digital cash, anonymous browsers, zero knowledge, which has been allowed for all sorts of anonymity online, and none of them made a go of it for the reasons we've just been discussing, but there doesn't seem to be a big market for privacy.

MR. MAYOR: I totally disagree with that. There was an article in—I think it was in Direct magazine, which is a direct-marketing magazine—anti-spam software alone is going to sell $300 million worth this year alone, and it doesn't work. So, you know, that's a pretty good return. I think that what we need to do is take away the tools of spam, take away harvesting software, take away the technology that does that.

Ramsen Betfarhad:
"EVERY SURVEY WE LOOKED AT HAD VERY HIGH CONCERN FOR PRIVACY ACROSS THE BOARD, IRRESPECTIVE OF THE GROUP BEING SURVEYED."

That could be one way of obtaining that e-mail address. I think selling an e-mail address is wrong, and, when you get into companies that will send out their postal file to a service bureau who are appending the e-mail address to it, that service bureau is selling your name. You can't sell permission, and I think that certain tools of the trade of spam need to be outlawed, plain and simple. Otherwise it's going to continue.

MR. SHIPMAN: I think that there is a market, but I think that we're missing the market. I think the market is for products that enable companies such as ours on the table to be able to bring authenticated yet trusted platforms to the users.

And so, on the legislative side, certainly providing us with tools such as anti-harvesting statutes to be able to prevent or combat the problem that way, as well as from a technical side, allowing companies such as ours to build in technology to help make authenticated yet safe transactions occur, that's where the market is.

MR. MAYOR: I think you're talking about fraud. Fraud is illegal. Fraud and deception, all that in any channel should be outlawed. But now you're talking about privacy, and you're talking about unsolicited e-mail. Those are three very difficult things to combine and talk about as one.

Spam, yeah, there's fraud, there's deception. That's one group of spam. The other group is the people who do not have permission to mail, and that's very black-and-white to me. I have no problem defining what unsolicited e-mail is. It's what the consumer tells me I have permission to do, and I cannot do anything else.

MR. COURTNEY: I think spam is the latest and very important instantiation of this ongoing dialogue we continue to have about privacy, security, and trust on the Internet. Number one, it's technology specific, which many of the privacy things we talk about are not. Also, there's very clear costs associated with spam—costs of transmission, costs of storage, plus the harder-to-quantify costs of receiving it—for a consumer who then reads it and says, boy, I hate getting this stuff. I don't want to give my address out anymore, or things like that.

One reason a lot of people get spam is because, you know, you fit into a demographic. They don't know who you are, but they know that you went to this website, or they know you fall into some age bracket.

MODERATOR: Surely there's a wave of different kinds of spam. There are a lot of layers here, but at what point does spam become so intrusive that the courts should be involved?

MR. SHIPMAN: I'd hazard to say that I think that one of the difficult elements that is probably preventing it from being an actionable case currently is the fact that it is — you have to find a damage. And finding a damage when most of us in the room are familiar with it is, at a high level, fairly difficult to find. Just to say, yes, we can calculate how much cost if you are on a bandwidth and pay X per month, and it costs you—or it takes you 20 minutes a day to delete all your spam, and you had to buy a filter, you've got some economic harm.

Certainly you get into the content issues

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if you start receiving things that are a little more pornographic in nature, but again, you have to point to—OK, so you saw that, and you fell off your chair backwards and hit your head? What is the harm? And I think that that's one of the key barriers to seeing these cases in court.

MR. BETFARHAD: Speaking of it as I mean, that raises the classic, it's a slippery slope. I mean, if you're going to do that on e-mail, what are you—are you going to do that on direct mail, are you going to do it for billboards along the highway? I mean, all of these things are irritating to us—sometimes it's fear of what we might actually be seeing, but you know, at 55 miles an hour you pass the billboard fairly quickly.

MODERATOR: What about just the pure indignity of it? The privacy violation? Michael made the good point that maybe spam is different than anonymous browsing, that people care enough about it that they might actually take steps to buy spam technologies. But is self-help, a purely market-based solution, going to be effective in this particular regime? Does anyone want to take the strong position that all we need is to make the technologies available?

MR. COURTNEY: Spam is a very international problem, and, even if a lot of spam right now is sent to the United States, strong spam legislation could move a lot of it offshore, increasing the internationality of it, and, in that context, unless you've got a robust set of technology solutions that could have a lot of different forms—they could be, you know, consumer-level; they could also be at the level of ISPs offering tools, and other things like that.

MR. DOERNHOEFER: I'm pretty strong market-based, and I think there is a strong argument here that, particularly in this marketplace where you have almost everybody accessing the Internet through an ISP—ISPs—that business at the moment is intensely competitive.

MR. SHIPMAN: I would actually say that I think that technology could solve the entire problem — economically based technology for transparency, as we're finding out. I think the problem is that there isn't one product today, and two, there isn't necessarily an incentive to the right organizations to create it, and three, there isn't a strong distribution model that could get it to all of the consumers.

MODERATOR: Should we think briefly about the courts? We haven't had much enthusiasm for judicial-based solutions, but there is frustration with the fact that United States law refuses to recognize that information disclosed for one purpose may not be freely disclosed for another without an individual consent.

MR. COURTNEY: What I will say is that what has come up several times before is that there are existing laws on the books which could be used to address a lot of this problem. That includes the laws against fraud and deception, which I think [comprise] a great deal of spam we receive. The FTC found 60 percent of it has what they call indices of fraud and therefore could be the target of an action, and that may be a path.

Scott Shipman:
"TECHNOLOGY COULD SOLVE THE ENTIRE PROBLEM—ECONOMICALLY BASED TECHNOLOGY."

Now enforcement costs money, and the FTC is not fully researched for that kind of activity, but maybe this is something we think about as we move forward.

MR. SHIPMAN: I would be fairly optimistic in saying that all of us would benefit from assistance, and certainly one of the things that pains eBay more than many other companies may be the fact that not only are there 50 states with separate regulations, but there's also every country in the world with a different variation on the theme.

So, that being the case, we try to live our best practice, and at the end of the day, any type of regulation that's passed, as long as it is based on those types of best practices, is going to be something that puts us at an advantage. We can comply and probably and most likely exceed whatever regulations are passed from a best-practice standpoint; whereas, many other companies may not have.

MR. MAYOR: I agree 100 percent. I think you put it very well. I think that, if the aim is to not really set the standard but to increase the people moving up the ladder to approach that standard, I'm all for it.

MR. COURTNEY: I believe that it is possible to construct a federal law that will set a federal standard that works. I just want to make sure that we don't say preemption is a given, we use that as a starting point. I actually think the discussion of whether to preempt should be relatively late, when we sort of know the approach we're taking, and then we say is this an approach we're willing to preempt state law with.

MR DOERNHOEFER: I will spend a part of my day tomorrow testifying before the Department of Transportation on decade-old computer reservation system rules, and it is a great case study in unintended consequences of government regulation and regulation that far outlived its usefulness because, you know, the entities—whether it be Congress or the administrative agencies—cannot possibly adapt at the speed of our current economy by technology.

MODERATOR: Good. Well, thank you so much for this fascinating discussion. I began by asking who can save us in this great privacy security debate—Congress, the courts, or the technologists—and I gather, if forced to choose, I detected a pretty overwhelming consensus for the technologists and the market, if forced to choose among those three.

However, it's the very complexity of the issue that makes me not so optimistic at the end of our talk, that these good, complicated balances will be adapted. The public's attention span is short, the choices are technologically complicated, and the ability to explain them in a sound bite is difficult. Thank you so much for being here.

To view the complete transcript and photos from the event online go to:
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China's Boxer Rebellion of 1900. In neighboring Iran, for instance, the Islamic radicals of the late '70s saw themselves as the successors to nationalist Prime Minister Mohammed Mossadeq, whom the United States had helped overthrow in 1953. Olivier Roy, an authority on and critic of radical Islam, wrote in *The New York Times* this month, "The United States cannot stand alone when dealing with the driving force in the Middle East. This is neither Islamism nor the appetite for democracy, but simply nationalism—whether it comes in the guise of democracy, secular totalitarianism or Islamic fervor."

Nor has the Bush administration's imperialist approach been limited to Iraq. It has been evident in its dismissive attitude toward European allies that have worked closely with the United States in the Balkans and Afghanistan and in its rejection of international treaties. The administration has even adopted the rudiments of a protectionist economic strategy. While mouthing support for free trade, it has slapped tariffs on imported steel and, instead of allowing the dollar's value to reflect impersonal currency markets, has driven down its price by actively encouraging speculation against it. Reducing the dollar's value against other countries' currencies makes U.S. exports cheaper and their imports more expensive. It is equivalent to putting a tariff on imports and is likely to elicit reprisals from abroad.

THE BUSH ADMINISTRATION'S rejection of international institutions, its readiness to wage aggressive, preventive wars to dominate a vital region, and its protectionist trade strategy have already aroused considerable popular opposition—not just in surrounding Arab nations, but in Europe and Asia as well. In recent elections in countries as diverse as Belgium, Germany, Spain, South Korea, and Pakistan, the parties most identified with opposition to U.S. foreign policy emerged victorious. This popular opposition is already sparking a challenge to U.S. hegemony. Initially, such a challenge is taking the form of terrorism by Islamic radicals—asymmetric military challenges, in the current jargon—and of what political scientists call "soft balancing." These latter tactics focus on economic policy and on diplomacy in the United Nations, NATO, and other international organizations. In response to U.S. steel tariffs, the European Union has convinced the World Trade Organization to rule against their legality and has refused to remove its ban on genetically modified food imports. EU hostility to the United States also contributed to the failure of last February's World Trade Organization negotiations in Tokyo. Also, according to Cox News, "Many Muslim clerics [have begun] demanding that Arab countries sell oil for euros, not dollars"—and the Russian and Iranian parliaments are considering doing exactly that. If a significant percentage of oil sales were in euros rather than dollars, the price of oil imports would rise in the United States. More important, the United States would lose the freedom it now has to run large budget deficits financed by oil exporters using their surplus dollars to buy Treasury notes.

There is also growing discussion in Europe of expanding the European Union to meet the challenge of U.S. hegemony. In a recent report on Europe's economic future, France's leading think tank, the Institut Français des Rélations Internationales, warned that, if Europe doesn't want to be dominated by the United States, it must create an economic bloc that would stretch to Russia in the east and to Arab North Africa in the south. Such a bloc would enjoy natural resources and a pool of well-educated professionals and low-wage service workers.

Eventually, attempts to balance America's imperial efforts may even take "hard," military forms. The U.S. war in Iraq pushed the EU countries closer to developing an independent military, with Germany, France, Belgium, and Luxembourg meeting in April to plan a new, multinational force. The war also brought France, Germany, and Russia closer together. A military, as well as economic, alliance between Western Europe and nuclear-armed Russia could one day pose a real threat to U.S. dominance. Together with the inevitable growth of China as an economic and military power, it could lead to a world divided into hostile U.S., Euro-Russian, and Chinese power blocs. That's highly speculative, of course, but this disaggregation of a "unipolar" world dominated by a single imperial power into hostile alliances has happened once before—during the last era of British-dominated great-power imperialism.

The new American imperialists, who view the world as a hierarchy governed by military power, would argue that the development of such blocs is inevitable—unless the United States actively discourages its allies as well as rogue states from competing against it. But Wilsonians see the world and the future differently. They would argue that, by encouraging supranational institutions and agreements, and by exercising its authority benignly, the United States stands a far better chance of preventing the older imperial rivalries from reemerging. Realists, such as University of Chicago political scientist Robert Pape, concur. Writes Pape, "Aside from the Soviet Union, major powers have never made serious efforts to balance against the United States. The reason is not American weakness. The United States has been the world's strongest state throughout the 20th century and a sole superpower since the end of the Cold War. ... Rather, the key reason is America's unparalleled reputation for nonaggressive intentions."

The best way for the United States to retain its superiority, in other words, is to repudiate the very strategy that the new imperialists have devised to perpetuate it. An imperial strategy is inherently self-defeating. Wilson understood that paradox in 1919, and it was borne out by America's experience in the last half of the twentieth century. But it is a historical lesson being ignored by the conservatives who now shape foreign policy in Washington. They believe the United States has entered a new world in which the lessons of the old no longer apply. That is almost certainly wrong. History is not physics. But we ignore its lessons at our peril. ■

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

A Bouquet of Lives

THE FULL TITLE OF AVIVA Slesin's documentary is **SECRET LIVES: HIDDEN CHILDREN & THEIR RESCUERS DURING WORLD WAR II.** Though this title does not specify that the children are Jewish, it is clear that the film is about the Holocaust. So at once the title dares us to face the "one more" response—one more documentary on that subject. The obvious risk in making another such documentary is of wearing down full response into—grotesque though it sounds—something like ennui. Slesin takes the risk, out of experience and out of conviction, and succeeds. Rescued children have been treated before, one way and another, but we cannot resist this new film's very simplicity. The voices, the faces, the facts burn through to a paradox: familiarity plus enlightenment.

SECRET LIVES
(Cinema Guild)

L'AUBERGE ESPAGNOLE
(Fox Searchlight)

Slesin herself was one of those children. When she was nine months old in German-occupied Lithuania, her mother, who was about to be deported, managed to place her with a Gentile couple. Her mother said she didn't care what the couple did with the child—they could christen her if they wanted to—but to "keep her alive." The couple, endangering their own lives, cared for the baby until the mother could reclaim her two and a half years later.

Other couples in other countries—Poland, the Netherlands, Belgium, France—behaved the same way. In relative terms, they were few. (We are told that ninety-nine out of every hundred European Jewish children were lost.) But this only heightens the marvel. With interviews done recently, of the children as they are now and of their saviors who are still surviving, with the always stabbing juxtaposition of early photographs and present faces, with the judicious interpolation of archival footage, Slesin offers us these awesome stories. And with frankness. One Dutch woman, now elderly, still resents the intrusion of the new child into her family group and says the newcomer was "a pain in the ass." (A Dutch Jewish writer once told me that she had been hidden with a farm family during the occupation, and that they saved her life but treated her like a slave.) Still, despite and because of her frankness, Slesin has fashioned a calendar of secular saints.

The term is especially apt because this is a film about Gentiles, not Jews. All the rescuers were—had to be—Gentile. They do not boast: some of them seem faintly surprised that a fuss is being made about their (literally) Christian behavior. The now-retired Polish pediatrician, the gnarled old Polish woman, the twinkly-eyed old Frenchman are among those who tell us about the closets and corners where they hid the Jewish children during the German army's searches, but these people make no point of the fact that at such moments their own lives were in the hands of the hidden children. Those children—some of them now grandparents themselves—sit next to their protectors and speak of their gratitude. The (even older) rescuers speak only of their affection for the small refugees.

Why is a film of this kind, when it is as simply done as Slesin's, so welcome? To keep the Holocaust in memory? A grave reason, certainly, as long as we do not believe that this memory prevents some human beings from slaughtering others. It is precisely because the memory of the Holocaust will not—does not—prevent further programmed killings that such a film is welcome. It lets us glimpse once again the stubborn, if slender, persistence of the humane.

In 1996 the French writer-director Cédric Klapisch made *When the Cat's Away,* about a young Parisienne searching for her lost pet and finding herself. Now Klapisch presents **L'AUBERGE ESPAGNOLE,** in which a young Parisian goes in quest of his profession and finds himself. Xavier, just out of university, is advised to prepare himself for a sound future by studying economics and Spanish. On an exchange program, he goes to Barcelona to pursue both subjects. The story ends back in Paris, and ends unexpectedly, but this doesn't matter. The picture does all that it has to do in Barcelona, in the apartment that Xavier shares with a small army of other students—most of them from other countries. (This is what the maladroit title means.)

Klapisch clearly is nervous about the opening and the close in Paris: he tries to spruce them up with editing and camera tricks, split screens and insets. But the bulk of the picture in Barcelona, which generally bustles, he does straightforwardly. The screenplay has no cogent story: it is a succession of incidents, most of them in Xavier's life, some in the lives of his flat-mates. These episodes are populated by such active characters—British, Italian, Danish, and Spanish—that the film feels like a six- or eight-ring circus. Almost everyone gets a crisis. The English girl is almost discovered *in flagrante* by her visiting boyfriend, the French lesbian has a spat with her lover, and Xavier has a passionate affair—not in the apartment—with a young French wife who has just moved to Barcelona with her doctor-husband.

The pace is fairly hectic, which it needs to be. (Mustn't linger on bubbles.) The performances are warm, especially the tender Judith Godrèche as the doctor's wife. The one exception is Romain Duris, as Xavier, who sparkles insufficiently. Yet it's hard to complain about a film that combines Paris and the city in the world that is most like it.

Farewell to a friend. When a treasured actor dies, I feel that I have lost a close friend. Fredric March, Takashi Shimura, Marcello Mastroianni are only three instances. Now I have lost Wendy Hiller.

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She died on May 14 at the age of ninety.

Dame Wendy made a good many more films than we might think, because she spent most of her career in the theater, and most of that career in Britain. But we have her feats of imagination and disclosure in, for instance, *Separate Tables* and *Toys in the Attic* and *Voyage of the Damned.* At the apex of her film life stand Liza in *Pygmalion* and the title role in *Major Barbara,* both of which she played at Shaw's request and both of which are suffused with her gift for truth, with the fragrance of her spirit. As I write now, I can hear her in the scene with Higgins in his mother's house near the end of *Pygmalion.* Higgins has been peremptorily ordering Liza to come home with him, and she has fiercely refused. If he misses her, she says, he can turn on the recordings of her that he has. He says, "I can't turn your soul on." A breath, a pause: now hushed and moved, she says, "You *are* a devil. You can twist the heart in a girl as easy as some could twist her arms to hurt her."

Anyone who has a tape of *Pygmalion* can turn on that soul. ■

Alan Wolfe

The One and the Many

DIVERSITY IN AMERICA: KEEPING GOVERNMENT AT A SAFE DISTANCE
By Peter H. Schuck
(Harvard University Press, 444 pp., $35)

"AS A DEVELOPING MUNICIpality, Mount Laurel must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate incomes." So spoke the New Jersey Supreme Court in 1975, in *Southern Burlington County NAACP* v. *Township of Mount Laurel.* In so doing, the court assumed almost as a matter of natural law—note the throwaway "of course"—that the common good is best served when suburban communities, which ordinarily would attract only middle-class residents, contain people who are different from one another, including differences in the amount of money that they make.

Yet the *Mount Laurel* decision also indicates how confused, if not incoherent, our national discussion of diversity has become. By force of public opinion, and increasingly by force of law, Americans now believe that it is wrong for communities (or clubs and associations) to be composed of people exclusively of one race or gender. The same is not true of class. Suburbia has long been defined by its distance, geographic and economic, from the city and the poorer people who live there. Suburbia's rejection of economic diversity, far from constituting an infringement of individual rights, has generally been viewed as the embodiment of them. We are allowed to claim on the basis of income the very exclusivity that is no longer available to us on the basis of race, gender, or religion. Thus it is that the Augusta golf club faced considerable pressure to integrate its members by race and is now under attack for excluding women, but nobody has questioned its requirement that only people of considerable means can become members, and only by invitation.

To say that *Mount Laurel* cut against the grain of the ways Americans think about diversity is to put it mildly. The considerable effort made by New Jersey's judiciary to bring people of different class backgrounds to the suburbs was met with passionate resistance. Two years after its initial decision, the court, recognizing how far it needed to go to impose its will on reluctant New Jerseyans, issued what Peter H. Schuck calls "one of the most extraordinary judicial opinions ever written." To further the goal of economic diversity, the court produced *Mount Laurel II,* which instructed lower courts to allow subsidies for developers in order to encourage them to make suburban housing available to the poor. More noticeably, it took unprecedented steps to enforce its edicts. Responding to efforts on the part of municipalities to bring lawsuits against its findings and chastising the legislature for its failure to join with the court in imposing its views on the people of the state, *Mount Laurel II* divided the entire state into three zones and assigned to each zone a trial judge responsible for any litigation that emerged around the issues raised by the court. *Mount Laurel II,* Schuck observes, "was a breathtaking assertion of judicial power, policy-making initiative, and remedial innovation."

It was also a failure. Many years after the decision, New Jersey had little to show for it. Of the 243,736 housing units required to meet the court's goals, only 28,392 had been built by 2001. The most obvious way to integrate suburban communities by income involves establishing a required earnings amount so low that only poor people could meet it. Yet it turns out that middle-class youngsters holding entry-level jobs—"junior yuppies," as one observer of the Mount Laurel imbroglio called them—also qualified, and they became the prime beneficiaries of *Mount Laurel II.* "The court in *Mount Laurel* did not just select the wrong tool for reforming affordable housing generally," Schuck concludes. "It also chose the wrong target and offered the wrong justification for what it was doing."

THE MOUNT LAUREL CONTROversy nicely illustrates the two major contributions to the way we think about diversity that are elaborated with insight and subtlety in Peter Schuck's book. The first is the idea that that diversity, which is generally a good thing, is not a good in and of itself; it becomes valuable only when it contributes to other objectives. In the debate over affirmative action, for example, the value of diversity, according to those who support the ideal, is that it exposes students to different points of view; and without that additional educational rationale, there would be no reason to take special steps to ensure that a student body is composed of people of different races. (As Peter Wood's recent book *Diversity* noted, this argument undercuts those who defend all-female institutions of higher learning, no matter how many minority women are admitted.) Even those who support affirmative action with some reluctance do so on the basis of what may be called "diversity plus." Those who argue that no state can allow its publicly funded educa-

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tional institutions to depart radically from the demographic profile of the state in general are making their case on the basis of fairness and representation, not on the basis of diversity as such. One reason that Schuck is so critical of the *Mount Laurel* decision is that the judges never spelled out the rationale behind their insistence on economic diversity. The court promoted diversity as an end in itself, and, lacking any further rationale, was forced to ratchet up its compliance mechanisms because so few citizens of New Jersey could understand why they were being asked to sacrifice for the sake of a principle that had no immediately observable purpose.

Schuck's second major idea about diversity is also illustrated by *Mount Laurel.* He believes that we are best off leaving the pursuit of diversity to the choices made by private individuals. Courts are often reluctant to do this because they believe that Americans prefer to live, to work, and to study with people like themselves; and, lacking sufficient compliance mechanisms, diversity, in their view, will never be achieved. Schuck confronts this point of view at every level. Compared to any other country in the world, he contends, Americans welcome diversity. Many countries, most notably France, insist on unity as a precondition for citizenship; and even ethnically diverse societies such as Nigeria, India, and Indonesia fear diversity for its potentially disruptive impact.

Our commitments to diversity, moreover, generally flow from the bottom up rather than from the top down. Since the Immigration Act of 1965, Americans have found themselves surrounded by people from Asia, Latin America, and the Middle East, and they have, with few exceptions, responded positively to the sense of entrepreneurship and opportunity that immigrants bring with them. Although we segregate ourselves into lifestyle ghettos and allow ourselves to be organized into "niche" markets, Schuck writes, "we welcome (or at least tolerate) different ways of speaking, dressing, eating, praying, working ... and living, which seems to evince a remarkably easy-going, shoulder-shrugging attitude toward cultural differences that many first-time visitors find striking."

Given the failures of courts to win widespread backing for plans as ambitious as those proposed for Mount Laurel, or the sometimes equally complicated formulae used to ensure a targeted racial mix in a university's student body, we are best off applying the lessons of economics to those of politics and culture. Private initiative, Schuck asserts forcibly, can be more efficient, and produce fewer unexpected side effects, than public action. Ever the opponent of absolutist thinking, Schuck recognizes that sometimes government will have to be used to promote the goals that go along with diversity. But it ought to be something of a last resort, relied on only when private efforts fail.

EVEN OUR DIVERSITY IS DIVERSE, Schuck points out. We celebrate differences rather than difference. And our differences take at least four major forms: Americans come from different countries of origin, they have different racial and ethnic identities, their residential patterns are different from one another, and they adhere to different faiths. *Diversity in America* devotes chapters to the ways Americans have approached each of these differences.

Historians tend not to find idealistic motives among policymakers—it is accepted as a given by most academic historians these days that, the United States being a racist society, all its laws have racist content—but the Immigration Act of 1965 really did repudiate a quota system based on national origins. Even more impressively, Americans—now that they grasp just how many immigrants have joined their society—have not chosen to repeal the law; if anything, public policy toward immigrants has become more generous since 1965. Organized labor, which once viewed immigrants as threats to full employment, argues on behalf of an amnesty for illegal immigrants. Higher fertility rates among immigrants compared to non-immigrants have not set off well-received eugenic alarm bells for restriction. Nobody has suggested revising the principle of *jus soli,* under which anyone born within the United States is automatically entitled to American citizenship. Unlike many other countries, the United States now allows its immigrants to retain dual citizenship; 90 percent of legal immigrants are eligible to keep the citizenship of their country of origin. (Immigration is an arena that allows Americans to lecture the French on their own moral failings; they, after all, have Jean-Marie Le Pen and we do not.)

Should we encourage immigrants to assimilate to American culture? Despite the fact that significant numbers of immigrants now live in subcommunities that enable them to preserve aspects of their language and religion, there is no need for us to debate this question. "By almost any definition," Schuck writes, "assimilation of immigrants to American life is proceeding rapidly, fueled by market incentives, the need and desire to learn English, the allure of sports, and a powerful, mass media–shaped national culture." The best we can do is to allow the process to run its own course. The worst—and this, alas, we seem all too anxious to do—is to use government to enable immigrants to preserve their cultures of origin.

As with *Mount Laurel*, courts have involved themselves in the dynamics of immigrant assimilation, often with disastrous results. *Lau* v. *Nichols* in 1974 upheld guidelines generated by the U.S. Office of Civil Rights that effectively established the right of immigrants to have their cultural heritages protected and promoted by American public schools. Schuck, never one to mince words, calls the governmental mandates that followed *Lau* "expansive, intrusive, and prescriptive." By emphasizing cultural maintenance, public policy stood in opposition to the wishes of many immigrant parents (who wanted rapid assimilation), the needs of children (whose learning was held back by dubious pedagogical schemes), and the strong preferences of non-immigrant Americans (who welcome people from other countries while insisting on the importance of fluency in English). Commitments to bilingualism, in Schuck's view, stand as a model of how to get everything wrong when it comes to diversity: "What had begun as an ostensibly professional-pedagogical dispute over how best to help children transition quickly to the agreed-upon goal of English proficiency now became a struggle over the value-laden and ideologically divisive issues of multiculturalism, the nature and pace of assimilation, and even the character and future of American citizenship."

"I KNOW OF NO OTHER PUBLIC POLicy since the rise of the administrative state during the New Deal that has remained so intensely unpopular ... yet that has survived so long." Schuck was not thinking of bilingualism when he wrote this sentence; his description applies to affirmative action. His one chapter on this touchy subject is worth more than any—

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maybe even all—of the books devoted to the issue. He notes that there are many good reasons that have been offered on behalf of affirmative action, among them: the need to make restitution to African Americans for past racism; to acknowledge that merit has not always been the criterion used to admit students to prestigious universities; to counter the caste-like status of African Americans in today's still often racist environment; to train future leaders from minority groups; to compensate for the racial stereotypes that prevent markets from operating efficiently; to allow institutions some autonomy in deciding what goals they wish to serve; and, last but not least, to promote diversity. But it is precisely the presence of so many rationales for affirmative action that suggests why we ought to question it. It seems clear to Schuck that for many of its advocates, the techniques of affirmative action (which so often resemble quotas) come first and the rationales come afterward. This is what makes affirmative action resemble the New Jersey experiment with mixed housing. Americans are being asked to support something called diversity without being told what secondary values they are also supporting—or, more correctly, while being told that the secondary values are so plentiful that they frequently shift around in importance.

In the meantime, affirmative action, since it relies so strongly on either enforcement by government or on dubious means never fully exposed to the public, inevitably produces unexpected consequences that undermine whatever validity the many rationales offered on its behalf are said to promote. Schuck illustrates his point with an example from racial profiling. New Jersey—that state again—wants its state troopers to avoid singling out black drivers and treating them differently from white drivers. Nobody can object to such a purpose. But to monitor their performance, data has to be kept on how many stops troopers make that involve members of racial minorities compared to whites. And how do the troopers know the race of those they stop? All 2,700 troopers had to take mandatory classes, paid for by the taxpayers, to learn how to tell one race from another based on "skin color" and "facial characteristics." If this does not send a chill up the spine of those who insist on having government classify by race, nothing will.

As ought to be obvious from his comments on *Mount Laurel,* Schuck is also highly critical of governmentally sponsored efforts to tamper with private choices in housing markets. *Mount Laurel* was not the only attempt by judges to impose their conceptions of diversity on reluctant citizens. In Yonkers, Judge Leonard Sand spent most of the 1980s trying to do the same thing. In an extremely complicated and extraordinarily litigious environment, Sand held the city of Yonkers directly responsible for housing segregation and ordered the city to remedy the problem. His order, Schuck writes, was "perhaps the most sweeping ever entered by a federal court." The judge's objective was not merely to build new public housing for those often excluded from the private housing market; instead, Sand, like the New Jersey court in *Mount Laurel II,* would not be satisfied by anything short of integrating city residents by race and class. Yonkers officials, not the most liberal politicians in the world, went apoplectic at the idea of disturbing residential patterns that many of them viewed as part of the natural order of things.

Schuck believes that better options existed. He is particularly fond of the Gautreaux Assisted Housing Program in Chicago, which offered publicly funded vouchers to inner-city residents to help them pay fair-market rents in suburban communities. Although many who took advantage of the program were greeted with noticeable if non-violent hostility in their new communities, eventually the tensions subsided. And there can be little doubt that those who moved were better off from the experience, which brought within their reach safer streets and better schools. (Schuck does not mention this, but inner-city Chicago politicians were the only significant opponents of Gautreaux: they worried about the possible dilution of their electoral base.) Vouchers have the advantage of invisibility, Schuck notes; no one knows who is being subsidized and who is not, thereby eliminating a potential source of stigma. No wonder that Gautreaux succeeded where Mount Laurel and Yonkers failed. Some 7,100 families had moved by the fall of 1998, when the program formally came to an end, and the experiment encouraged other "mobility-based" housing programs around the country.

Unlike many treatments of diversity, Schuck's book pays considerable attention to religion. Of all the diverse ways in which people can be diverse, religion has been the source of greatest strife. It is all the more remarkable, then, that the United States, almost alone among liberal democracies, proclaims religious diversity as an ideal. As with any other form of diversity, we do not value a plurality of faiths merely because it is good to have many different beliefs; religious diversity is inevitably linked to the objective of tolerance. Between the choice of insisting on communitarian objectives best represented by an established church and accepting an individualism that includes the right to believe in any faith that makes sense to you, we have opted for the latter. Schuck would reinforce our individualistic inclinations by making choice central to the way we think about the requirements of faith. In *Goldman* v. *Weinberger* in 1986, the U. S. Supreme Court ruled that an Orthodox Jewish soldier could be required to take off his yarmulke without having his religious rights violated. (Congress soon thereafter passed a law giving him back his right.) For Schuck, it matters whether the soldier was conscripted or volunteered to join the army. If he had no choice in the matter, forbidding him to wear the yarmulke would be more serious than if he had chosen of his own free will to join the Armed Forces.

As much as possible, Schuck would have the courts adopt a "choice-facilitating approach" to church-state controversies, allowing both those who believe and those who do not maximum scope to pursue their objectives. If religious believers insist on compulsion to realize their objectives—as they once did by mandating prayer in public school—they are engaged in the equivalent of forcing racial integration through government and ought to be resisted. (But Schuck warns against a loose definition of compulsion: it is not coercive, in his view, when nondenominational prayers are offered at school graduations.) More recent efforts to recognize a role for faith in public policy—such as reliance on school vouchers or promoting charitable choice—are acceptable to Schuck, since many different religious traditions can rely on them to pursue aims of their own choosing.

THOSE WHO CLAIM TO BE IN favor of diversity nearly always invoke the authority of government to promote their cause. But government and law, Schuck writes, "are natural enemies of diversity,

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especially when they are most eager to create it." Law generally seeks uniformity, not diversity. Hence the paradox that efforts to rely on government to achieve diversity have about them a remarkable sameness. Affirmative action, to take the most obvious example, is designed to bring to universities students with widely contrasting backgrounds and experiences, but universities in every state and region of the country, irrespective of whether they are private or public, promote affirmative action in nearly identical ways. Let diversity become a pronounced objective of public policy, and spontaneity, improvisation, and voluntarism give way to standards, percentages, and plans.

Building on this paradox, Schuck argues that we value diversity most when we perceive it as "authentic, natural, and uncontrived." Those who recall Jane Jacobs's book *The Death and Life of Great American Cities* will immediately recognize the ideal that Schuck is describing. Uniformity was Jacobs's great enemy. Turn a city neighborhood over to a single commercial use, build within it just one kind of housing, or crisscross it with streets of the same length, and the area will die. Against city planners, Jacobs praised the spontaneous ecology of urban life, the often invisible habits that led the workaholic to leave her key with the grocer so that the telephone repairman could have access to her apartment. Greenwich Village contained its diverse mixture of Italian ethnics and bohemian artists because nobody ever developed a scheme that threw them together. Schuck applies the same way of thinking to our national community. We risk losing our diversity because we care so much about it. Were we a bit less vigilant, we would find ourselves with a great deal more of it.

Other paradoxes abound when it comes to diversity. The accomplishment of diversity in some spheres of life is made possible by uniformity in other spheres of life. To serve the goal of diversity, we may be best off allowing those who feel strongly enough about a common characteristic to exclude those who lack that commonality. For one thing, restricting membership in a group to Asians, heterosexuals, Christians, or men means that some considerable diversity will still exist, since those broad categories will still contain many different kinds of people. And this is not the only reason to tolerate homogeneity in pursuit of heterogeneity. Evangelical colleges that exclude Jews and Catholics are intellectually poorer because of their policy, but they are also among the first to defend the rights of other religions to fashion communities of their own choice. To deal forthrightly with people different from yourself can require the kind of self-confidence that flows from dealing with people like yourself.

As a consequence of such ironies, diversity management is a complicated business that can never produce perfect results. It is a fact of life that law schools that choose to emphasize racial diversity will sacrifice a substantial degree of intellectual diversity, for the consensus necessary to achieve the former goal carries with it the implication that fewer conservatives, or even liberals who have qualms about affirmative action, will be hired. The least we can do, Schuck insists, is to recognize that trade-offs, unanticipated consequences, and sometimes zero-sum games will influence how we make choices about diversity. This we rarely do. All too often we pursue diversity as if we know exactly what it is and believe we can achieve it without considerable cost.

WHILE GOVERNMENT SHOULD not develop plans for how diversity ought to be realized, it does have two roles to play, in Schuck's view, in the process of diversity management. It should continue to insist on principles of anti-discrimination. The Civil Rights Act of 1964 and the Americans With Disabilities Act of 1990 are designed, technically speaking, to achieve equal opportunity for individuals, not to ensure diversity among groups. In both cases, moreover, those singled out for protection are individuals who belong to groups that were, before the passage of anti-discrimination protection, treated by majorities with distinct disrespect. We ought to be judicious, Schuck believes, in applying anti-discrimination principles. There is less reason to insist on anti-discrimination rights when the people to be protected are in the majority: parents, for example, or women, both of whom can rely on the market to achieve greater equality rather than the state.

Schuck also sees a role for government in preventing the formation of cultural monopolies. Just as antitrust laws in the economic sphere encourage competition and the First Amendment in the political sphere is designed to facilitate the expression of many points of view, so, too, diversity can be advanced when people have more choices. They should be able to assert their own racial or ethnic identity without having one imposed on them. If they want religious schooling for their children, they ought to be allowed vouchers. Instruction in a particular language should not be forced upon them. The greater our tendency to monopolize, the more fierce become our battles over multiculturalism; and the more we learn to rely on private solutions such as vouchers, the more likely that the passions will be diffused. Some national standards will still be necessary. We might conclude as a society, for example, that the desire of some parents to give as much time to creationism as to evolution fails to meet the test of science and ought not to be permitted in the name of diversity. But we should be judicious in establishing such standards and allow as much role for choice as we can.

THE TIMING OF PETER SCHUCK'S important book could not be better. As the wars over political correctness wane and the extraordinary impact of immigration reform becomes more fully accepted, the United States finally seems prepared to avoid some of the more extreme positions that have arisen in our debates over diversity. On the right, xenophobia has given way to electoral realities. (Consider the swing states of Michigan and Florida, and the need of both parties to win Muslim votes in the one and Latino votes in the other.) On the left, the idea that society cannot impose any require-

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ments on cultural groups is all but dead; even liberal Massachusetts recently passed, by an overwhelming majority, a Ron Unz–sponsored measure designed to bring official bilingualism to an end. When it comes to diversity, the center has held; and Schuck's book essentially defines that center. He has made the legal case for common sense.

Within the center, there is not, and there ought not to be, agreement on all questions of diversity management. I do not agree with Schuck's treatment of two of the four kinds of diversity that he analyzes. Discrimination in housing requires more active governmental steps to achieve diversity than he acknowledges. As Schuck himself points out, white residents of Yonkers and the politicians who appealed to them "violated the constitutional rights of its minority residents, demonstrated contempt for the rule of law, and nearly destroyed the community, leaving wounds that may never heal." Intransigence so strongly entrenched may not justify the determination of Judge Sand to impose integration by fiat, but it makes it understandable. There are times when the force of law must be used to set an example, even when resistance is fierce. Yonkers had been allowed to segregate its neighborhoods by race for too long, and at too high a cost to its significant African American population, to justify any further reliance on private means to achieve fairness.

Along similar lines, I find myself unpersuaded by Schuck's conclusion that affirmative action has outlived whatever usefulness it may have had. Public universities, since they are funded by all taxpayers within a state, are under an obligation to represent, in one way or another, those who finance their activities. And private universities have used their autonomy from government in ways so corrosive of admission by merit—especially by reserving places for legacies or athletes—that they have undercut any rationale for denying similar admissions preferences on the basis of skin color. Indeed, recent evidence that universities lower their admissions requirements for future donors makes it all but impossible for courts to rule against affirmative action: corrupt quotas have become so much a part of the retreat from merit in Ivy League institutions that to deny them to African Americans at this point would constitute an egregious example of a racially motivated double standard. The recently concluded oral arguments before the Supreme Court on the Michigan affirmative action case seemed to suggest some surprising resistance, even from conservative judges, to abolishing preferences entirely, and even the Bush administration chose not to opt for the most conservative position available to it in its briefs. For all the troubling questions raised by affirmative action (and there are many), if we have to choose between abolishing it and maintaining it, the latter is perhaps the wiser course at this time.

Whichever direction we take on affirmative action, however, we will take it with a greater understanding of the issues at stake because of Peter Schuck's intervention. *Diversity in America* is a model of academic scholarship. The United States was given a significant amount of diversity before it had the law and theory in place to understand what it was doing. Thanks to Schuck, how we think about diversity is finally catching up to the complexities and the nuances of diversity itself. ■

Ruth Franklin

Day Tripper

THE LIGHT OF DAY
By Graham Swift
(Alfred A. Knopf, 324 pp., $24)

THE WRITER WHO CONFINES his novel to the space of a single day faces a paradox. The day that he chooses must be somehow extraordinary in the lives of his characters, a day not like all the others, so as to justify its selection. But it must also be, in some ways, a day just like all the others, because it bears the burden of illuminating the entirety of a life. When this device is successful, the day seems to respond to its authorial pressure like a balloon, expanding to encompass all the moments of present and past that come to bear on the current action. But when it does not work, time seems to contract rather than expand, and the device becomes nothing more than an arbitrary gimmick meant to distract the reader from the novel's otherwise lacking form or substance.

In other words: in order to carry out the one-day form successfully, the novelist must cheat. *Mrs. Dalloway* would be of little interest if Virginia Woolf had taken the formal and temporal restriction too literally; stripped of Clarissa's longings for Sally or her regrets over Peter, the novel would be nothing more than the schedule of errands for a woman of a certain temperament planning a party. But the longings and the regrets of the past are essential to Clarissa's being, and therefore to her story. By animating her thoughts, they animate her life. And this "cheating"—recapitulating the bumps and the valleys of the preceding months and years, rather than hewing stubbornly to the straight line of the present day—is much more true to the actual experience of lived time, to the way a person's thoughts really do range over the course of a day, lingering much longer on memories and daydreams than on current activities. This is also why the one-day form fails in Don DeLillo's recent *Cosmopolis*: the internal monologue that Eric Packer unspools in his limo keeps tightly apace with the action (such that there is), allowing no history and no background, and therefore no character, to overflow the tight bounds of the predetermined time limit.

Graham Swift first tried out the one-day novel in his debut, *The Sweet-Shop Owner,* which appeared in 1980, and he has returned to it periodically over the years, although he has also permitted himself some extreme deviations—his extraordinary *Waterland,* published in 1983, encompasses more than two hundred years in the history of the family that it chronicles. But Swift, like Woolf, cheats the form: even when he holds himself to the classical unity, he stretches its boundaries as far as they will give. *The Sweet-Shop Owner* examines the course of a thirty-year marriage through the reflections and flashbacks of the title character, wasting little time on the perfunctory outlines of his routine. And Swift's last novel, *Last Orders,* published in 1996, pushes the limits even further: though it ostensibly records the journey of four men to scatter the ashes of their friend Jack into the sea, the book changes per-

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spective among its characters with each chapter, so that the result is an examination of five lives rather than a memorial to one.

It would be wrong to call Swift's novels mysteries, but not entirely wrong: he has a quick sense of suspense, and he is stingy with the details of his plots, revealing key information only gradually en route to a final epiphany that goes at least some way—though never all the way—toward illuminating the dark corners of even the most apparently well-lighted life. His characters, typically, are middle-aged men who have suffered some kind of psychic blow—a divorce, a death—that has brought them to the discovery that their lives are at the mercy of powerful forces beyond their control, a combination of family, history, and mythology. In *Waterland,* Swift's third novel and his most profound realization of this vision to date, Tom Crick, a history teacher, is about to be forced into retirement, with administrative cutbacks in his department conveniently coinciding with a personal scandal: Mary, his wife of thirty years, has had a mental breakdown that culminates with her kidnapping a child from a supermarket. As Tom tries to make sense of the ancient sins and betrayals that led to her act, his lectures to his students take the form of a meditation on the history of his family, Fenmen engaged in a centuries-long struggle to reclaim the land on which they live from the River Ouse, which constantly threatens to flood it. Though the fundamental mystery at the heart of the book—a question of paternity that spans multiple generations—is never completely resolved, the truths that Swift conjures are genuinely moving and deeply satisfying.

Despite Swift's interest in the crimes of humanity, in general his characters serve not as detectives but as watchmen: Tom's father Henry Crick, a lock-keeper on the River Ouse; Willy Chapman, the sweet-shop proprietor, who presides behind his counter during the day and returns home to stand guard over his invalid wife at night. The activity of keeping vigil has always seemed to have something in common with the occupation of the novelist, who strikes a similar pose with regard to his characters. Swift is among the most invisible of contemporary writers: each of his books is told in the first person by a highly idiosyncratic narrator (or narrators), whose voice is in no way mistakable for that of the author. Yet for all their eccentricities and neuroses, the attitude of Swift's characters toward their lives is one of nearly uniform—and often frustrating—passivity. And this passivity is mirrored by their creator, who adopts largely the same attitude toward them. The watchman's invisibility can be beneficial, but in the face of a threat intervention is often necessary.

GEORGE WEBB, THE PROTAGONIST of *The Light of Day,* is in fact a detective, but the crime that preoccupies him is long since solved. Two years earlier, George, a private investigator specializing in "matrimonial work," was hired by Sarah Nash to follow her husband Bob, who was having an affair with a young Croatian refugee whom the couple had taken in. With the war in the former Yugoslavia ended, Kristina was scheduled to return home, but Sarah feared that the affair was not really over. She charged George to follow the couple to the airport to see whether Kristina got on the plane by herself. "Even if that's where they say goodbye, I want to know how he does it, how they do it," she told George. "I want to have been there—but invisible—for that."

The leave-taking at the airport went as planned, but afterward George, who by then had fallen in love with Sarah, followed Bob back home. Seized with foreboding, he returned to the house ten minutes later to find that Sarah had murdered her husband with the kitchen knife that she had been using to prepare their dinner. She promptly confessed to the crime and was sentenced to ten years in prison. When the novel begins, George is preparing for his fortnightly visit to her there, a journey he has made faithfully for the last two years.

This much of the story becomes clear in the novel's first few pages. But the tangle of motivations, conscious and unconscious, that underlie the action remains for George to tease out. As he makes his way through the day on which the novel takes place—the second anniversary of the crime—he painstakingly reconstructs not only the events of that singular day two years ago, but, as all of Swift's characters eventually must do, his own personal history, which includes a failed marriage and an estranged daughter with whom he is in the process of reconciling.

As befits a detective in George's line of work, the main object of his investigation into his own past is marriage and its seemingly inseparable companion, infidelity. The tale of marital betrayal is inherently trite, but George knows from listening to his clients that the participants are unable to perceive it as such. "'My husband is seeing another woman.' There aren't so many ways of saying it—but you have to look as if you haven't heard it said in every possible way. They're all unique: the only one to have to come to the doctor with this rare complaint." Of course, George knows well that they are not unique, having witnessed as a child his father's affair with the mother of a friend. George kept this knowledge from his mother, who found out about the affair only when her husband, on his deathbed, repeatedly called the name of his long-ago lover.

NOW GEORGE TRIES TO UNDERstand the basis for the attraction between Bob and Kristina, which has resonances for his own infatuation with Sarah. Both cases, he believes, are a variation on the classic *coup de foudre*: "Something happens. We cross a line, we open a door we never knew was there. It might never have happened, we might never have known." Once the line is crossed, there is no going back; such doors, once opened, can never be closed. "Something's come over you," a line that is repeated again and again in various contexts, might be the novel's mantra; but George is never able to articulate what exactly that "something" might be.

> Was there a period at least, an initial stage, when [Bob had] felt himself slipping, sliding, and tried to resist? That sweet good period—autumn slipping into winter, three years ago—which, for all of them, seemed to be about something else. This new presence in the house, this new soft mood. The urge to protect.... Pity and charity sliding, melting into something else.
>
> Or it was just a single moment? Maybe. One of those moments that turn everything upside down. No preliminary period of veering, and arguing with himself, no watching her every day like some substitute father but at the same time like a spy in the dark. A moment, an opportunity. They were alone together in the house. The dead of winter. Curtains drawn. They caught each other like startled animals. A door left open. A look that passed between them, a look that

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> wasn't so much like two looks colliding and instantly bouncing away, but like a single bolt sliding shut.

When George first sees Kristina, as Bob picks her up on the way to the airport, he looks for "some dizzying, devastating factor that might, in an instant, explain everything. But didn't I know, by then, there's no telling how it strikes?" He knows because "it" has struck him as well. Again, he is at a loss to explain it, but it happened the moment he saw Sarah waiting in his office.

> The bar of sunshine between us caught her knees and gave them an almost tinselly sheen. They didn't seem like the usual knees of women that can project from a skirt with all kinds of angles and meaning. They were just knees caught in the light.
>
> It was her knees, maybe.

If this observation—"it was her knees, maybe"—seems less than revelatory, at this point one is still willing to accept George's confusion as the necessary blindness of a man in love.

But eventually there must be some revelation, and George's powers as a detective are unfortunately not up to the task of producing one. Why did Sarah murder her husband after he had given up his lover and was returning home to her, after she had gotten dressed up and prepared his favorite dinner? This is the mystery at the heart of the novel, and Swift characteristically delays its resolution as long as possible. What "came over" Sarah, George believes, was the realization that though Bob had given up Kristina, he still cannot truly return to her. "He's not really there. He hears his wife's voice. He steps into the kitchen. Yes, this is his house, this is his wife, but it all seems utterly impossible. She sees it in his eyes. The smile on her face goes out." Once the door is opened, there is no going back.

THIS IS A RELATIVELY UNCOMplicated vision of love, and it is at odds with the considerably richer attitude toward affairs of the heart that Swift has taken in his previous novels. One of the extraordinary things about Swift's writing has always been his ability to bridge the disjunction between the zeniths of human passion—the stuff of art and literature—and the much more superficial way in which we actually experience the primary portion of our lives. In *Waterland,* he portrays adolescent sex games as part of the grand scheme of natural history, as mysterious and primal as the reproductive habits of the eel; but we also see the romance between Tom and Mary in all its sweet banality, the shared confidences on the train rides to and from school and the ruined windmill turned love nest where they have their trysts. "Do you think people kill themselves for love?" one character asks in *Ever After,* Swift's fifth novel, which reads the early death of the protagonist's wife against the shadow of his parents' troubled marriage, which ended with his father's suicide. But again the mundanities of the couple's courtship—the late-night taxis, the seedy hotel that they visit—are as vivid as the moments of great passion.

For all the intensity of his investigation into the forces that bind people together or blow them apart, Swift has often seemed to regard love as a persistent source of mystery. The marriages his novels depict are pockmarked by great gaps in understanding; sometimes the characters are able to circumvent them, but more often they become abysses that threaten to swallow anyone who steps near. The relationship at the center of *The Sweet-Shop Owner* is estranged from the start, with a wife who seeks to escape her marriage through the slow suicide of allowing her asthma to go untreated for years. Even the widowed narrator of *Ever After,* who enjoyed a happy (if abbreviated) marriage, is preoccupied not only by his mother's adultery but also by the failed marriage of a distant ancestor, a pastor who fled his wife after losing his faith. All that Swift's characters can hope for is some belated understanding of the turmoil after the catastrophe has occurred; any advance reckoning is an impossibility.

THE LIGHT OF DAY TAKES UP many of the same questions as Swift's earlier work. Do people die for love, and if so what are the consequences for those whom they leave behind? Can we choose to fall in and out of love, or are we inevitably overcome by forces beyond our control? But the book restricts itself to a much more shallow scope, and so it seems to strain for the sort of operatic intensity that once was natural. The overlapping circles of the novel's love affairs swirl around nearly every character: George and Sarah, Sarah and Bob, Bob and Kristina, George and his ex-wife, George and his secretary, George's father and the neighbor, George's daughter and her girlfriend. Yet its vision of love never advances much beyond the oft-repeated "Something's come over me," a simplistic and unsatisfying conception. This is not entirely for lack of trying. "How does it happen?" George wonders at one point. "How do we choose? Someone enters our life, and we can't live without them. But we lived without them before..." Sarah will try to push the idea further: Bob had said that he couldn't live without Kristina, but "he *had* lived without her, hadn't he? All the time he'd never bloody known her. All the time he'd been living with *me*.... We can live without anyone. If we have to, we must." George feels differently, but either he chooses not to argue his case or he is incapable of it.

"In my time of doing matrimonial work," he muses toward the end of the book, "I've seen quite a few couples who've come to grief, who've gone to war, for no other reason, so far as I can see, than that over the years of being safe and steady and settled, something's got lost, something's gone missing, they've got bored." This plainspokenness is no doubt intentional, but George's inarticulacy is a disturbing feature in a novel that is essentially a monologue. Swift used the device of the naïve narrator to great effect in *Last Orders,* in which a number of the characters speak in slangy dialect. But George's inadequacy as an investigator of his own affairs is more troubling for the fact that the book itself is presented as his written record to Sarah, his "twice-monthly reports from the world," which he delivers to her on each visit. "The truth is she's taught me to say things, to say all this, to put things down in words," he explains. "It's been an education, really."

There are some wonderful moments in George's account. On the visitors waiting to get into the prison, he observes: "By and large, we're a silent bunch—except for the kids. We haven't come to meet each other, and it's only by accident that we look like some special, picked group, a chosen few." At the end of visiting hours, "Time's up. A sudden activity. It's like the moment when a ship leaves. All non-passengers disembark. Where do prisoners sail?"

But the bulk of the novel is related in George's flatter-than-deadpan style, a

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near-parody of hard-boiled detective-speak. "She's reading my face like a book," he notes early on. "But that's just an expression. I didn't read faces like books (I didn't read many books), I read faces like faces." More often, though, the clichés are presented unmediated and uninterrogated: "we all have to eat," "my bread and butter," "the girl in her," "fate steps in," "time to kill," "an old hand," "home away from home," and many more. They must be intended ironically—it is hard to imagine anything else of Swift—but the text itself provides little reassurance.

This novel's exasperating flatness is entirely at odds with Swift's previous work, which has been distinguished by the density and the richness of its prose and its psychology. Perhaps with this, his third attempt at the one-day novel, he has exhausted the form's potential. Or maybe some questions cannot be answered in a single day. More likely, though, it is not the form that has failed Swift, but he who has inadequately risen to its challenge. It is not, after all, only the addition of the memories and the flashbacks that makes the one-day novel work, but also the way in which the accumulating episodes and details coalesce into a full-fledged character. The unlikely hero of this arbitrarily constricted romance remains too slight a figure to bear the burden of an entire life on his thinly sketched shoulders. ■

Alan Taylor
The Exceptionalist

TO BEGIN THE WORLD ANEW: THE GENIUS AND AMBIGUITIES OF THE AMERICAN FOUNDERS
By Bernard Bailyn
(Alfred A. Knopf, 185 pp., $26)

AT A NATIONAL CONVENTION of historians, early in my career, I first saw Bernard Bailyn, a legendary figure in my chosen field of colonial and revolutionary America. I stood waiting, with several colleagues of equally modest status, for a glassy elevator to descend to the open lobby of the convention hotel. Out of the corner of an eye, I noted the famous—and famously aloof—Professor Bailyn looming behind us alone and at a discreet distance. From a conspicuous array of seven (or so) elevator pods, my group had gambled on the one most likely to reach bottom most quickly—or so it seemed, until that elevator stopped short. Instead, far to our left, another glassy pod surprisingly and suddenly dropped multiple floors to our level. Quicker than thought, Bailyn dashed across the lobby into the elevator and quickly pressed the buttons, shutting the door to ascend in splendid isolation, looking down upon the gaping, excluded throng. The tableau seemed perfectly to represent Bailyn's lofty professional reputation: smarter than others and rising above the fray.

Bailyn has been the most influential and perhaps the most controversial American historian of the past half-century. Born in 1922 in Hartford, Connecticut, Bailyn graduated from Williams College in 1945, and served in the Army at the end of World War II. He subsequently studied American history at Harvard, receiving his doctorate in 1953. Oscar Handlin, then the nation's premier social historian, trained Bailyn to apply the questions of social science to the patterns of ordinary life—a daring approach that transcended the profession's traditional preoccupation with statesmen and generals. Infamous for eating its young, the Harvard history department made a singular exception for Bailyn, who never had to endure exile to a provincial university, much less to some rustic teachers' college. In 1953 he became a member of the faculty, and there he stayed and flourished until his retirement at the end of the 1980s.

In those rich decades Bailyn supervised and trained nearly seventy doctoral students, including such luminaries as Richard D. Brown, Richard L. Bushman, Michael Kammen, Pauline R. Maier, Mary Beth Norton, Jack N. Rakove, and Gordon S. Wood. Dazzled by Bailyn's "charismatic yet enigmatic" example, those protégés have disseminated and ramified his influence in research universities throughout the land. Their timing was auspicious for the 1960s and early 1970s, which were generally boom times for academic growth. In particular, it was a period of extraordinary vitality for the study of colonial and revolutionary America, a prosperity largely driven by Bailyn and his talented disciples.

EARLY IN HIS CAREER, BAILYN practiced social history in the Handlin mode. In 1955, he published his first book, *The New England Merchants in the Seventeenth Century.* By examining relatively worldly men, Bailyn gently diverged from the usual treatment of Puritan New England as exclusively inhabited by the religiously profound and driven. Bringing a social perspective to economic development, Bailyn wrote that "trade was the creation of men and ... the bonds that kept its parts together were the personal relationships existing among them." In 1959, Bailyn and his wife Lotte Bailyn produced *Massachusetts Shipping, 1697–1714: A Statistical Study,* a pioneering application of the computer to statistical data, which revealed the broad distribution of investment in mercantile shipping, thereby democratizing our view of commercial enterprise in colonial New England.

Beginning with an influential essay, "Politics and Social Structure in Virginia," in 1959, and a concise book, *Education in the Forming of American Society,* a year later, Bailyn's social history took a more overtly political turn, focusing on how the social origins of elites and the broad composition of colonial society affected the distribution and the validation of power. He emphasized the increasing divergence of colonial society from the British motherland, necessitating new American ways of thinking about the relationship of government to the governed.

Early and often, Bailyn endorsed the meta-narrative known as "American exceptionalism": a celebration of American deviation from Old World tradition. This was the reigning orthodoxy of the 1950s, and it is still pervasive in popular and political culture—think of Donald Rumsfeld's disdain for "old Europe."

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The idea of American exceptionalism insists that an abundant new world liberated talented and ambitious colonial emigrants from aristocratic Europe, where birth assigned privilege and limited mobility. Abundance and opportunity created the American character—optimistic, individualistic, materialistic, innovative, democratic—in sharp contrast to those hide-bound, uptight European pessimists, who perversely conformed to the absence of social mobility. The exceptionalist mentality is deeply rooted in our national identity. It may be found in the writings of J. Hector St. John de Crevecoeur in the 1770s; the late-nineteenth-century frontier thesis of Frederick Jackson Turner; and the mid-twentieth-century historical work of David Potter, Oscar Handlin, and many others.

DURING THE LATE 1960S, Bailyn applied his version of American exceptionalism to the coming of the American Revolution in two remarkable, celebrated, and overlapping books: *The Ideological Origins of the American Revolution* (1967) and *The Origins of American Politics* (1968). They delineate a paradigmatic change during the mid-to-late eighteenth century, as old habits of British thought, increasingly out of touch with American social realities, rapidly gave way to radical new ways of perceiving and thinking about society and politics, ways that were better attuned to American needs. Eighteenth-century Britons celebrated their constitutional stability, which was premised on counterpoising the commons with an aristocracy and a monarch. The stabilizing power of the monarch depended upon an abundant patronage to buy members of Parliament, and upon an electorate reduced to a small minority by a daunting property requirement, and upon an unequal mode of representation that favored aristocratic estates over the urban masses. But none of those conditions prevailed in colonial America, where abundant land elevated most white men into the electorate, and the sojourning royal governors appointed by the king possessed little patronage and less security, and ambitious men of commercial means dominated the elected colonial assemblies that filled the power vacuum left by the weak and temporary governors.

As a consequence, colonial politics were especially petty, fractious, and inconsequential, generating much anxiety that something was amiss. Early in the eighteenth century, most leading colonists blamed themselves, casting their political deviations from the British norm as marks of provincial inferiority. At mid-century, however, American leaders felt compelled as never before to justify their distinctive society and its political implications. Confronted by new British demands for taxes and greater imperial control, the colonists mobilized a body of alarmist ideas originating in England and known to scholars as "Country," "Commonwealth," or "Opposition" thought. During the late seventeenth and early eighteenth century, several embittered English political writers—principally John Trenchard and Thomas Gordon, the co-authors of *Cato's Letters*—excoriated Parliament and the king's ministers as thoroughly corrupt and power-mad, driven by greed and ambition to conspire against the traditional liberties of Englishmen. Marginalized in Britain, these "Country" ideas became pervasive in the Thirteen Colonies, where the colonists needed a vocabulary to vindicate their social order and to justify their resistance to British authority.

With Country thought as their prism, the leaders of colonial resistance detected nothing but malice, corruption, and conspiracy in even the most innocuous of British initiatives. In 1775 and 1776, those convictions impelled most colonists to revolt, securing both independence and a republican form of government shorn of aristocracy and monarchy. Republicanism brought the American polity into line with their relatively egalitarian society, abating the anxieties generated by the colonial contradiction between political beliefs and social realities. Endowed with a republic, Americans could sustain and even improve that society in subsequent generations, gradually (well, very gradually) extending liberty and opportunity to slaves and women.

Lyrically expressed and brilliantly framed, Bailyn's interpretation concisely explained both the coming of the Revolution and its republican legacy. In reward, *The Ideological Origins of the American Revolution* and *The Origins of American Politics* reaped critical acclaim, scholarly prizes, and a surprisingly large readership for such academic tomes. But Bailyn's work on the Revolution has also evoked an unusually bitter backlash from many historians, who have felt either conned by rhetorical sleight-of-hand or scorned by Bailyn's abrupt dismissal of other interpretations.

BAILYN'S HISTORICAL WRITING magically combines vivid imagery with rhetorical escape hatches. Depending on their sensibility, readers can find in his prose either multiple layers of sophisticated meaning or a self-serving ambiguity and internal contradiction. Consider, for example, this controversial passage from *The Ideological Origins of the American Revolution* about Country thought's power over the revolutionaries:

> This peculiar configuration of ideas constituted in effect an intellectual switchboard wired so that certain combinations of events would activate a distinct set of signals—danger signals, indicating hidden impulses and the likely trajectory of events impelled by them. Well before 1776 the signals registered on this switchboard led to a single, unmistakable conclusion—a conclusion that had long been feared and to which there could be only one rational response.

Here Bailyn initially indicts the Patriots as mechanistically trapped by their alarmist ideology into over-reacting to British initiatives as a conscious plot to enslave white Americans. At the passage's end, however, Bailyn adroitly retreats by characterizing the Revolution as the one and only "rational response." If the revolutionaries were constrained by their psychological "switchboard" to detect only some stimuli, and those in the most fearful manner, why categorize their response as "rational"?

In sharp contrast to the evocative and allusive ambivalence of his own formulations, Bailyn turns definitive and categorical to reject alternatives offered by other scholars. Insistent on the binding and blinding power of Country thought, Bailyn is quick to dismiss—rather than careful to explore—the other ideologies that circulated in revolutionary America. What about the liberalism associated with Locke or the utopian rationalism of Enlightenment philosophers? Overrated, Bailyn declares. How about the plebeian traditions of radical protest in the colonial seaports and the tenant farm districts? Insignificant, Bailyn maintains. Perhaps the egalitarian evangelicalism promoted by Protestant revivalists contributed to the republican revolution? Of

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A Gift

That night she called his name, not mine, and could not call it back
I shamed myself, and thought of that blind girl in Kodiak

who sat out on the stoop each night to watch the daylight fade
and lift her child down to the gate cut in the palisade

and what old caution love resigned, when through that misty stare
she passed the boy to not her bearskinned husband but the bear

Web

The deftest leave no trace: type, send, delete,
clear *history*. The world will never know.
Though a man might wonder, as he crossed the street
what it was that broke across his brow
or vanished on his tongue and left it sweet

DON PATERSON

no political consequence, Bailyn counters. There was, he insists, just one mobilizing ideology, and it could be found exclusively in pamphlets and newspapers expressing the dread-filled Country thought.

If this is so, then revolutionary America had a surprisingly simple and homogeneous political culture. And by reducing the Revolution to a forensic debate conducted by well-educated pamphleteers, Bailyn also slights the economic distress, the urban rioting, the rural uprisings, and the slave agitation that exercise other historians committed to the "Progressive interpretation," which emphasizes class and racial conflict in late colonial America. In 1973, Bailyn declared that "the Revolution was not the result of social discontent, or of economic disturbances, or of rising misery, or of those mysterious social strains that seem to beguile the imaginations of historians straining to find peculiar predispositions to upheaval." He presented no sustained evidence to support his negatives. By casting his "ideological interpretation" as purely political, and diametrically opposed to any social interpretation, Bailyn repaired to a more traditional and elitist mode of intellectual history at surprising odds with the innovative social perspective of his early scholarship.

By insisting upon a homogeneous American commitment to Country thought, Bailyn also neglected the approximately one-fifth of the colonial population that remained loyal to the empire during the bitter civil war known as the American Revolution. If Country thought suffused late colonial America, why would so many people cling to the British empire as the best protector of their property and liberty? Sensitive to that criticism, Bailyn responded with his finest work: a genuinely profound biography of a preeminent Loyalist, *The Ordeal of Thomas Hutchinson*, which appeared in 1974. The colonial-born royal governor of Massachusetts on the eve of the Revolution, Hutchinson has long been vilified in Patriot propaganda and historical writing as the arch-conspirator against American liberty. Bailyn hoped to transcend the parochialism of American historiography on the revolution, which so neatly casts its Patriot heroes against British and Loyalist villains. He sought, instead, that "ultimate stage of maturity in historical interpretation where partisanship is left behind, where the historian can find equal humanity in all the participants, the winners and the losers."

Bailyn presents Hutchinson as a noble but tragic figure—the Revolution's Hamlet. More rational and pragmatic than his Patriot foes, Hutchinson dispassionately understood the British as well-meaning imperialists. He worked to reconcile the colonies to the mother country, before they destroyed in blood the union of an empire that he, and so many other Americans, admired and cherished. But rationality and pragmatism ultimately proved to be liabilities, as Hutchinson underestimated the fear and loathing that drove the Patriots to revolt. Hutchinson's well-meant but naïve efforts at compromise only hastened the catastrophe he had longed to avert.

The Ordeal of Thomas Hutchinson reaped far more than its fair share of academic criticism. By 1974 the backlash against Bailyn's earlier work and Bailyn's subsequent counterblasts had left many critics spoiling for more of a fight. Underestimating the thorough research and the humane sophistication of *The Ordeal of Thomas Hutchinson,* those critics instead focused on psychological parallels asserted between Hutchinson and Bailyn: both embattled by foes, both sure of their superior reason, both self-pitying. Since Bailyn identified and sympathized with Hutchinson—or so they argued—he distorted history, in this way vindicating a true villain. Such partisanship revealed that the moral polarities of Patriot history were too cherished, especially by leftist scholars, to permit any dispassionate re-assessment of a leading Loyalist.

In fact, Bailyn should have gone even further toward understanding the Loyalists on their own terms. Instead he remained unwittingly wedded to the Whiggish, teleological version of Patriot history. Since the Revolution was destined to win, opposing it was foolish; since the Revolutionaries had a powerful ideology, opponents by definition lacked equally potent convictions. By negatively defining Hutchinson's thought as the absence of Patriot passion, Bailyn actually underestimated Loyalism, casting it as a pallid and ineffectual response to the irrational but invincible emotions of a revolutionary age.

In fact, the American Revolution was a hard-fought and close-run thing: the British and the Loyalists nearly won. Respect for the true contingency of the past would take them seriously as viable candidates for making the American future of their own day. If they had prevailed, a different victors' history would rearrange the white hats and the black hats awarded to the heroes and the villains of that founding generation. And the American Loyalists certainly did have an ideology, their own symbolic and selective understanding of political reality that inspired their passionate defense of the union of the empire. Taking Catholic and absolutist France as their traditional foe, the American Loyalists understood the British empire as the world's last best hope for the preservation of liberty, property, commerce, and Protestantism: values that they understood to be interdependent and fragile. They perceived the self-styled Patriots as power-hungry, self-serving hypocrites driven by avarice and ambition to conspire against free-

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doms best protected by clinging to the union of the empire and to the constitutional balance of king, aristocracy, and commons. In the Patriots' brutal treatment of Loyalists and their newspapers—and in the Patriot military alliance with Catholic France—the Loyalists found perverse vindication for their views. Until we give the Loyalists their due as ideologically committed to a just cause (as they saw it), our history of the American Revolution will remain naïve and parochial. If Bailyn fell short in 1974, at least he tried to enlarge the sphere of historiographical empathy, which is more than can be said about his unimaginative critics.

IN THE WAKE OF *The Ordeal of Thomas Hutchinson,* Bailyn turned to an ambitious new project that returned to painstaking empirical and archival research. Pioneering an "Atlantic perspective," Bailyn examined the massive flow of European emigrants to British America during the eighteenth century. Appalled by the proliferation of specialized studies of early American places and peoples, conducted from multiple disciplines and perspectives, Bailyn hoped that he could combine and tame them into one consummate master-interpretation. During the 1980s, he assured his former graduate students that his "Peopling of America" project would synthesize "the whole world of cultural-anthropological, social-structural, and demographic history which lies scattered in hundreds of books and articles written over the past quarter century by scholars in several disciplines pursuing separate paths of inquiry."

This mega-ambition resembles that of Morris Zapp, a literary scholar created by the satirical novelist David Lodge. Irritated by the proliferation of specialized studies of Jane Austen's novels, Zapp aspires to combine every theoretical approach in his own massive master study—to have the last word and to put a stop to all further scholarship on the subject. And, like Zapp, Bailyn has found his grand design easier to announce than to consummate. So far, the "Peopling of America" project has yielded a single "exploratory study": a massive volume of 636 pages devoted to analyzing one detailed register of emigrants who departed Britain between 1773 and 1776. At this rate, completing the master interpretation of all the emigration data from throughout the Atlantic basin vanishes far over the horizon, a century into the future.

The project's first volume, ably assisted by Barbara DeWolfe, appeared in 1986 as *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution,* and in a more concise, popular edition titled *The Peopling of America.* In the larger book, Bailyn and DeWolfe declined to settle on a single unifying framework. Instead they stitched together four distinct approaches—"descriptive exposition," "quantitative analysis," "structural analysis," and "micro-narratives" (of particular emigrants to colonial America). Pursued in distinct and prolonged sequence, the parts read like four distinct drafts of similar books, each of manageable length, until combined. Each segment offers dazzling interludes of analysis or storytelling, but the repetitive whole is something less than the sum of the parts.

Voyagers to the West opens with a lurid picture of a barbaric colonial America and its denizens: "They lived in the outback, on the far marchlands, where constraints were loosened and where one had to struggle to maintain the forms of civilized existence." The colonial frontier attracted "a disoriented white population for whom murder, thievery, and brutality had become commonplace." Colonial slave masters reduced blacks "to the condition of work animals," while evangelists conducted "bizarre cults." But in the end, Bailyn reaches for the comforting consolations of American exceptionalism: that brutal marchland paradoxically produces a great good by simplifying the European emigrants, stripping away their artificial civilization to re-create their characters as autonomous, creative Americans:

> It was a risky world where one lived not in a dense and elaborately nuanced human environment that nourished and civilized but also limited one's activities, but in a loose, still-forming society where it was possible to proceed alone, free of encrusted burdens and ancient obligations, and to become, like the emigrant Yorkshireman Luke Harrison, "independent."

Harrison meant the "independence" of owning a family farm, but Bailyn implies that such a people would soon accept nothing less than national independence from bad old Britain. The problem with this neat and upbeat conclusion is that the colonial emigrants featured in *Voyagers to the West*—Scots and other North Britons of the early 1770s—did not, in general, embrace the American Revolution. They tended to remain loyal to the empire, undercutting the case that the American marchland had so quickly worked its alchemy upon emigrant minds.

IN AN EVEN MORE PROFOUND WAY, the North Briton emigrants of the 1770s were atypical of the human flow across the Atlantic to British America. Contrary to the doctrine of American exceptionalism, most eighteenth-century emigrants did not come to America of their own free will in search of liberty and opportunity. Nor were they white Europeans. Most of them were enslaved Africans forced across the Atlantic to work on plantations. During that century, the British colonies (including the West Indies) imported about 1.5 million slaves—more than three times the number of all free immigrants, and more than ten times the number of North Britons.

In the peopling of late colonial America, the real headline story was the massive expansion of race slavery, rather than the more modest growth of opportunity for the white minority of emigrants. And that conspicuous expansion of slave numbers contributed at least as much as Country thought to the special terror that the term "slavery" had in Patriot discourse. Detecting their own impending "slavery" in British taxes made subconscious sense to leading colonists, anxious about their own increased slaveholding and fearful that human exploitation would become more universal, spreading across racial lines, in a nightmare American future.

By casting North British emigrants of 1773–1776 as perfectly emblematic of the coming America, then, Bailyn unwittingly commits what he criticizes in other scholars: he distorts the messy autonomy of the past to serve a present preference, in this case for finding the colonial roots of our national identity. The champions of American exceptionalism charge their critics with "presentism," or recasting the past to conform to their contemporary concerns of racial and sexual equality. But those critics, with at least equal justice, can counter that exceptionalism skews and foreshortens the past—rendering it too white and happy—by read-

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ing back the conformity and the prosperity of the present's middle class.

American exceptionalism offers a nice and appealing story, one true enough for thousands—and especially the middle-class men—who did find more opportunity on this side of the Atlantic. Yet this interpretation drains American history of drama and conflict. Why fight a revolution and a civil war if the colonial era had already produced an egalitarian society of opportunity? And the theory of American exceptionalism is pusillanimous with its attention to the less fortunate: to Indians decimated by imported diseases and colonial warfare, to the Africans enslaved to work for the free, to the indentured servants and other working poor who procured less prosperity than they expected, and to the women who found that emigration and abundance hardly affected the constraints of patriarchy.

Add those people up and you find the great majority of colonial Americans, leaving exceptionalism as the story of a fortunate minority. Indeed, economic historians have shown that an abundant land of scarce labor creates new incentives for especially exploitative systems of servitude and slavery premised on race. If colonial America offered unprecedented opportunity to the free and the white, it also imposed racial slavery on a scale and with an intensity unknown in Britain. If colonial America was the land of freedom, it was also the land of slavery. Indeed, freedom and slavery were tragically and inseparably intertwined until more than 600,000 Americans died during the Civil War either to dissolve or to preserve their combination.

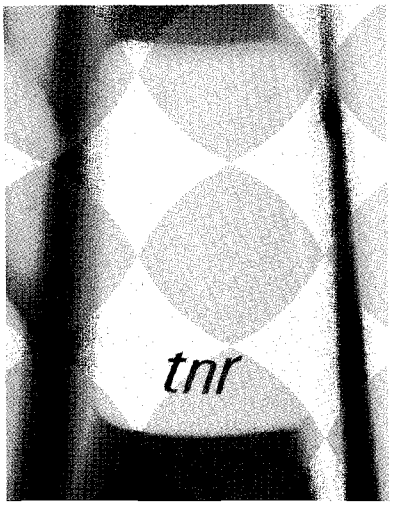
SINCE *VOYAGERS TO THE WEST* appeared in 1986, the grand "Peopling of America" project has lain fallow, producing no more volumes. Instead Bailyn has concentrated on recycling in book form previously published essays. The most substantial reappeared in 1990 as *Faces of Revolution: Personalities and Themes in the Struggle for American Independence.* Now dipping deeper into his inventory, Bailyn offers a new book, a set of five easy pieces, mostly lectures previously published. This is a book by the barest of margins, for readers will find fewer than two hundred pages, forty of them dedicated to illustrations. The pieces have the charming qualities of the best public lectures: a candid, genial, and sprightly informality. This is Bailyn refreshingly at his ease, no longer embattled. But these lectures also suffer from that genre's limitations when thrust into print: they are generally light on evidence and documentation.

Bailyn gives his pieces a familiar theme:

> That [the Founding Fathers] were provincials—marginal, borderland people—in the broad context of eighteenth-century Euro-American civilization profoundly conditioned their lives and, I believe, stimulated their imaginations, freed them from instinctive respect for traditional establishments, and encouraged them to create a new political world.

Once again, it would appear, we find a revolution initiated and controlled at the top by elite, learned colonists writing on behalf of an apparently prosperous and homogeneous American people grateful that they no longer live in Britain. Readers familiar with Bailyn's past work will find few surprises here, no new inspiration, and no engagement with recent work conducted by other scholars (except for legal scholars of *The Federalist Papers*). Yet this amiable collection may do much good by reaching new readers in a broader public. Intrigued by this keen sample, perhaps they will explore more widely, and discover the riches of Bailyn's earlier books.

If so, they will encounter a historian of unmatched influence, range, ambition, and style. Many readers will take reassurance from Bailyn's remarkable continuity of thought, his many soothing returns to colonial origins as a middle-class triumph. Others—count me among them—fear that Bailyn's allegiance to American exceptionalism has borne diminishing returns in recent decades, constraining a creative mind within an increasingly unprofitable formula. No one can doubt that the British colonies presented a new and challenging environment that did transform social relations and political possibilities. The problem is that American exceptionalism tells only the edifying part of the tale, for the colonial environment created as much misery as opportunity, and more individual dependence than independence. The Revolution was not just a matter of fulfilling the colonial society that mixed exploitation with opportunity, hierarchy with mobility, slavery with freedom. It was also a matter of undoing it. ■



Hot Button Issues

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TEL AVIV DIARIST

Honors

IT WAS NOT AS AN ACT OF PILGRIMAGE that I went to Mike's Place last week. A friend had suggested we walk down the beach from Tel Aviv toward Jaffa, the ancient seaport where my wife and I lived three years ago. And suddenly we glanced to the left, and there it was, not more than five meters from the U.S. Embassy. Surely a message of sorts, no? The pub had been bombed on April 30 by the two now-famous Britons, Asif Hanif and Omar Khan Sharif, whose families hail from Pakistan and who themselves were college-educated and financially secure. Actually, only Hanif succeeded; Sharif's belt, filled with shrapnel and explosives, did not go off. So, doubtless disgraced by his incompetence as a mass killer, he jumped into the Mediterranean on whose shores his grotesquely decomposed body eventually washed up. The two had entered Israel under cover of membership in the International Solidarity Movement (ISM), which claims to comprise "peace workers," as the newspapers jejunely describe them. But make no mistake: The ISM is an intrinsic part of the Palestinian terrorist international. If some of its members really think they are promoting peace, that just makes them classic examples of what Lenin called "useful idiots."

AT A CONFERENCE ON THE NEW ANTI-Semitism I attended just before my trip, a participant raised objections to the liquidators being called "suicide bombers." This is a formulation ready-made for *The New York Times* and National Public Radio and the BBC because it treats the deaths of the perpetrators as more important than the deaths of their victims. Well, here's a better nomenclature for these mass exterminators: genocidal bombers. After all, the men who carry out these exploits do not disguise their intention: It is not just to kill Israelis, which would make it genocidal enough; it is to kill Jews and as many as possible. During the seven days I spent in Israel, there were five bombings similar to the one at Mike's Place. Of the five, one went awry. Overall, only twelve Israelis were killed, seven on a bus in Jerusalem. A lucky week for Israel.

WITHIN A WEEK, MIKE'S PLACE WAS back serving drinks and playing music. When my friend and I showed up, we had already been scrutinized at three, maybe four, checkpoints en route from our hotels. It was early afternoon. The pub was full. And there blared, as the signage outside promised, "blues on the beach." Are Israelis in denial? Not at all. Yes, the streets are full, along with restaurants, public transport, shopping centers, clubs, theaters, and libraries. Israelis work, study, play, dance, stroll, swim, read, and (some of them) pray. But they also calculate. Do I take this bus? Do I go to this market? Shall I allow my teenagers to congregate downtown? Sadly, the murderers do not follow predictable patterns. So Israelis cannot be anything other than fully conscious that they live in a very dangerous neighborhood. But, if they don't deny, they certainly defy. Their defiance is an expression of strength.

I CAME TO ISRAEL BECAUSE TEL AVIV University, one of the stars in Israel's firmament, was serendipitously honoring three of my friends. Michael Walzer, a frequent TNR contributor, was receiving an honorary degree for his work—first at Harvard, more recently at the Institute for Advanced Study at Princeton—in political philosophy and Jewish political thought. You may remember from college his classic text on the ethics of military action, *Just and Unjust Wars*, first published in 1977. It has near-sacred status at West Point and among the strategists of the Israel Defense Forces. (Even a French edition was belatedly published after Bosnia, although I doubt any French general has seriously pondered its strictures.) Michael has published 24 books, with a range that extends from radical Puritanism in seventeenth-century England to the very idea of citizenship and its collisions with identity. He is now editing the last of three volumes bringing to the English language public Jewish texts with contemporary commentaries on standard categories of political theory: authority, community, justice, power, etc. These are pioneering texts, and they will live.

MY FRIEND FREDERICK WISEMAN DID not receive an honorary degree (he has enough of them already) but was a beneficiary of the University's Dan David Prize, given in three categories, one for the illumination of the past, one for the illumination of the future, one for the illumination of the present. Fred has directed some 32 documentaries on contemporary American life over 35 years. His judges asserted that he probably was "the most important person ever to lift a camera for documentary filmmaking." His style is instantly recognizable: painfully spare cinematography, a clear dramatic narrative essential to the subject itself, a director who is nowhere seen or heard or even disguised in the presence of a narrator. For years, Israelis have flocked to his documentaries, which are regularly shown at their film festivals, another sign of the deep kinship between them and us.

POLITICALLY AND INTELLECTUALLY, the person at the ceremonies who created the greatest stir was my friend from Cambridge, Kanan Makiya, the Iraqi exile and author of *Republic of Fear* and *Cruelty and Silence*, the first about the Baath regime in Baghdad, the second about the degraded politics of the Middle East. Readers of TNR also know his writings from the magazine itself and from the eleven pieces he wrote for us online during the war against Saddam Hussein. He is certainly no patsy for Israel, as his talk to the Tel Aviv assemblage (and his prior writings, too) proved. But, still, it took bravery to come, not least because intellectual thugs, particularly Edward Said, have tried to destroy him as they have tried to destroy other independent spirits in their world, such as Fouad Ajami. I am no optimist about the Middle East. But listening to Kanan's hopes for his long-brutalized country and for the coming relationship between Iraq and Israel, a modern-day echo of the ancient relationship between Babylon and Jerusalem, was not just heartening but exhilarating. He called for bridging "that terrible wall of suspicion and mistrust" that separates Jews, Arabs, Kurds, Assyrian and Chaldean Christians, others, and—no, I have not forgotten—Palestinians, too. So, has Kanan dissolved my pessimism? No. But he has not left it completely intact either.

MARTIN PERETZ

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The Flat Tax Revisited

Alvin Rabushka is the David and Joan Traitel Senior Fellow at the Hoover Institution.

President George W. Bush is actively pushing for a second round of tax cuts as part of his domestic agenda. He has proposed $726 billion in new tax cuts over the next ten years. The House Ways and Means Committee has proposed a smaller ($550 billion) reduction. The more fractious Senate Finance Committee wants to limit the cut to $350 billion. Changes currently being considered include (1) reductions in the tax rate on dividends (some, half, or all); (2) further reduction in the capital gains tax rate (down to 15 percent from 20 percent); (3) accelerating the marginal tax-rate reductions approved in last year's tax bill; (4) tripling or quadrupling first-year write-offs of small business investment from the current level of $25,000; (5) increasing the child tax credit; and (6) granting more relief for married taxpayers.

Each item, on its own, can be justified, but the entire package cannot. The federal income tax code is currently 54,000 pages long—last year's tax bill by itself added up to 2,500 pages. The total number of pages in the federal code has doubled since 1984. **Despite repeated promises to simplify the tax code, a succession of presidents and Congresses contrives each year to make the system worse.** The only real beneficiaries of these annual revisions are commercial tax preparation services, tax accountants, tax lawyers, tax planners, and lobbyists.

It's time we got back to basics, to a flat tax that can be filed on the back of a postcard. A number of countries have adopted a flat tax: Estonia (1994), Latvia (1995), Russia (2001), and Ukraine (2003, at 13 percent, the same as Russia). As of this writing, the Ministry of Finance in Slovakia has proposed a 20 percent flat tax. If adopted this summer, five former Soviet or East-bloc countries will have implemented a flat tax.

More exciting is the prospect of a flat tax being adopted in the People's Republic of China. A Chinese edition of *The Flat Tax* (2d edition, Hoover Press, 1995), which I co-wrote with Robert E. Hall, has just been published by the China Financial & Economic Publishing Company. Furthermore, I have been invited by the Ministry of Finance to participate in an international seminar in Beijing on reforming the personal income tax in China, with special consideration of the flat tax.

Adding China to the above list would mean that more than a quarter of the world's population would conduct their economic and financial affairs under a flat tax. If so, the producers in our largest future competitor, China, would have a big advantage over American producers, who, barring any real tax reform, will remain saddled with higher tax rates and greater complexity.

What do former Soviet states and China know that our president and Congress do not?

— Alvin Rabushka

Paid for by the Hoover Institution, Stanford University.

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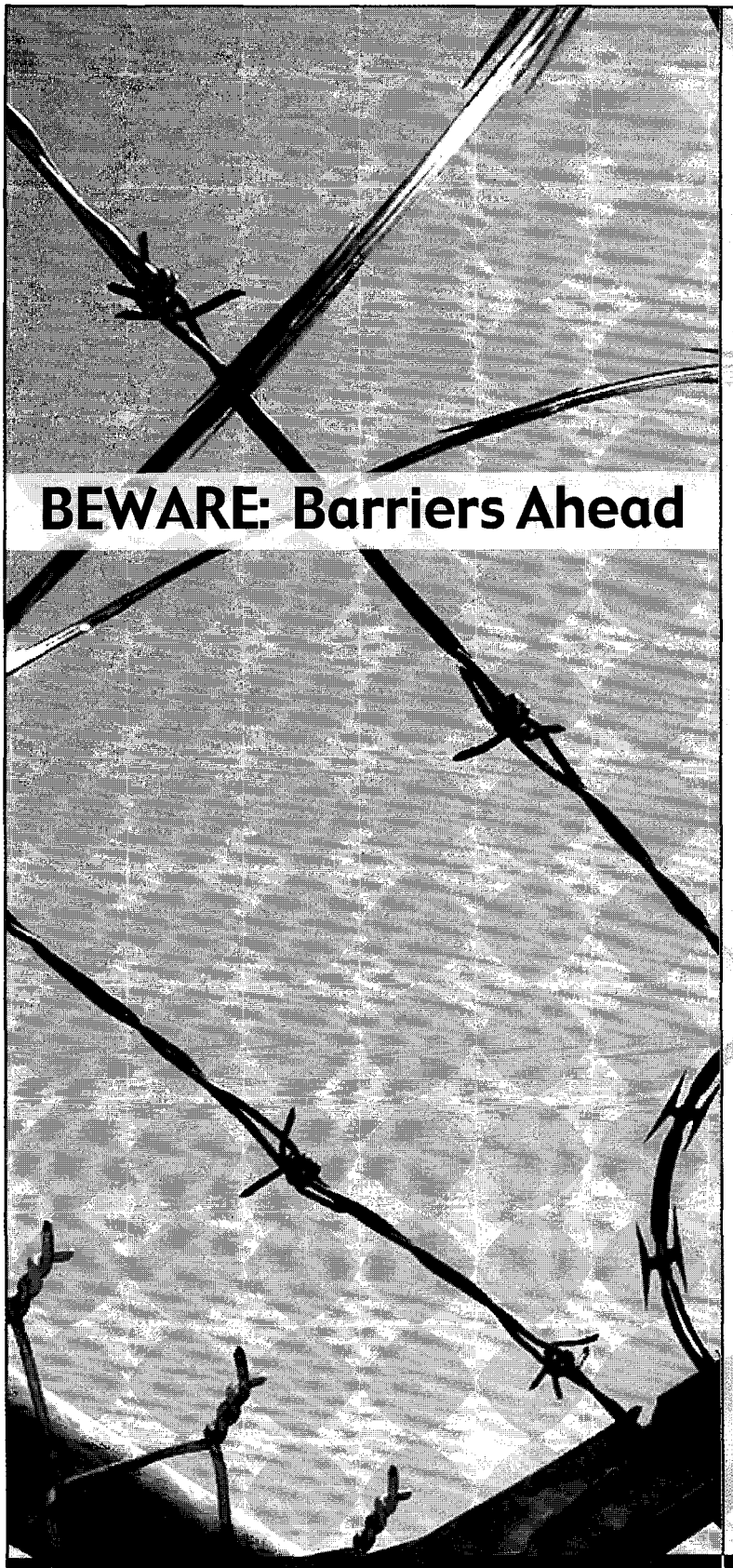

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